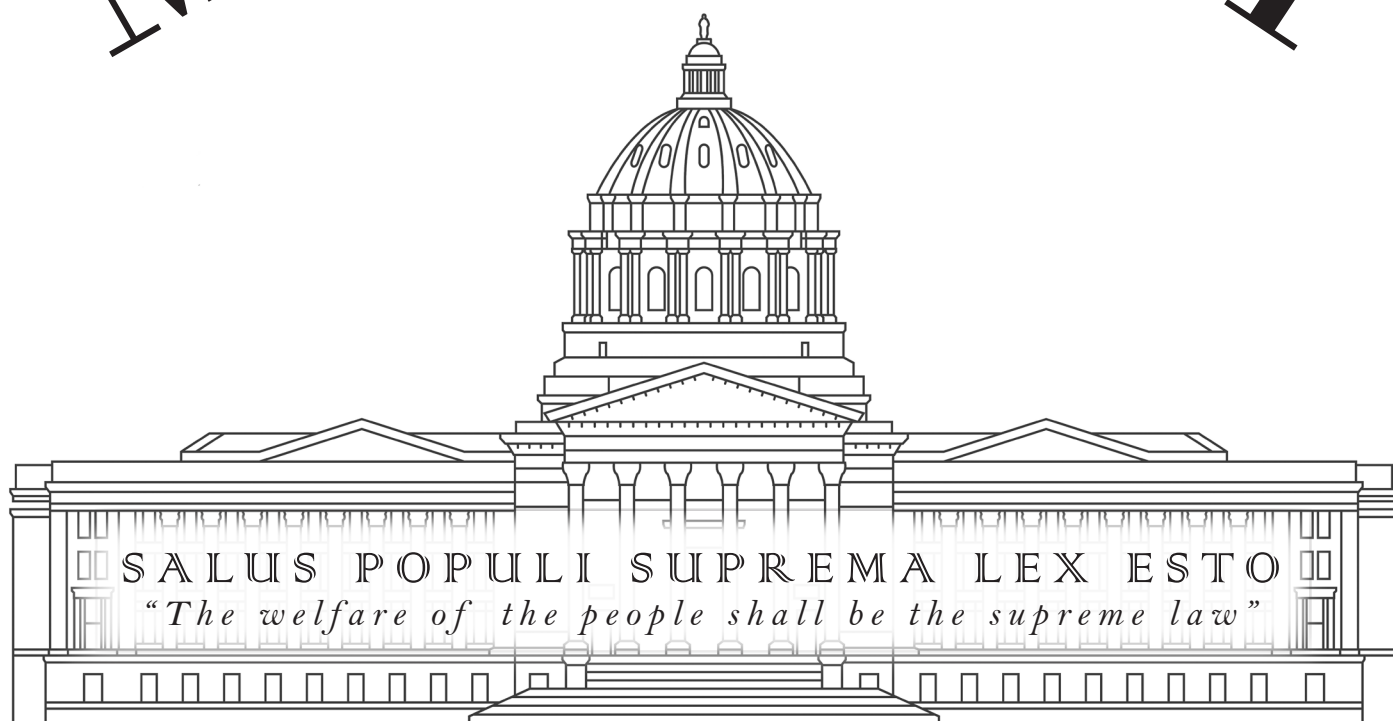


Volume 50, Number 1  
Pages 1—60

January 2, 2025

# MISSOURI



# REGISTER

John R. Ashcroft  Secretary of State

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January 2, 2025

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December 2, 2024 December 16, 2024	January 2, 2025 January 15, 2025	January 29, 2025 January 29, 2025	February 28, 2025 February 28, 2025
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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please see the website at [sos.mo.gov/adrules/pubsched](https://sos.mo.gov/adrules/pubsched).

## HOW TO CITE RULES AND RSMO

### RULES

The rules are codified in the *Code of State Regulations* in this system–

<b>Title</b>	<b>CSR</b>	<b>Division</b>	<b>Chapter</b>	<b>Rule</b>
3 Department	<i>Code of State Regulations</i>	10- Agency division	4 General area regulated	115 Specific area regulated

and should be cited in this manner: 3 CSR 10-4.115.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraphs 1., subparagraphs A., parts (I), subparts (a), items I. and subitems a.

The rule is properly cited by using the full citation; for example, 3 CSR 10-4.115, NOT Rule 10-4.115.

Citations of RSMo are to the *Missouri Revised Statutes* as of the date indicated.

### ***Code and Register on the Internet***

The *Code of State Regulations* and *Missouri Register* are available on the Internet.

The *Code* address is [sos.mo.gov/adrules/csr/csr](http://sos.mo.gov/adrules/csr/csr)

The *Register* address is [sos.mo.gov/adrules/moreg/moreg](http://sos.mo.gov/adrules/moreg/moreg)

These websites contain rulemakings and regulations as they appear in the *Code* and *Registers*.

Rules appearing under this heading are filed under the authority granted by section 536.025, RSMo. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety, or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the Missouri and the United States Constitutions; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons, and findings which support its conclusion that there is an immediate danger to the public health, safety, or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

Rules filed as emergency rules may be effective not less than ten (10) business days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the Missouri Register as soon as practicable.

All emergency rules must state the period during which they are in effect, and in no case can they be in effect more than one hundred eighty (180) calendar days or thirty (30) legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

## TITLE 13 – DEPARTMENT OF SOCIAL SERVICES

### Division 70 – MO HealthNet Division

#### Chapter 20 – Pharmacy Program

#### EMERGENCY AMENDMENT

**13 CSR 70-20.075 340B Drug Pricing Program.** The division is amending sections (1)–(5), and adding new section (6).

**PURPOSE:** *This emergency amendment simplifies and clarifies the language of the current rule and establishes a carve-out list of medications that are not reimbursable if purchased through the 340B program.*

**EMERGENCY STATEMENT:** *The emergency amendment informs the public that MO HealthNet Division (MHD) is excluding certain outpatient drugs from reimbursement through the 340B Program. This emergency amendment is necessary to protect governmental interest to MHD as it will realize a three-million-dollar savings during the time this emergency is effective, which will contribute to a financially sustainable Medicaid program in Missouri. MHD will begin to cover drugs approved by the FDA for the treatment of obesity in January 2025 and will start entering into supplemental rebate contracts for those drugs and value-based contracts for cell and gene therapies. When providers purchase these medications through the 340B program, federal law prohibits MHD from collecting supplemental rebates, causing MHD to pay a higher net cost. MHD will not be able to*

*collect supplemental rebates for these outpatient drugs without this emergency amendment. As a result, MHD finds a compelling governmental interest, which requires this emergency action. A proposed amendment covering this same material is published in this issue of the Missouri Register. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended by the Missouri and United States Constitutions. MHD believes that this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency amendment was filed November 21, 2024, becomes effective December 9, 2024, and expires June 6, 2025.*

(1) **[340B-c]**Covered entities that choose to carve-in Medicaid must provide the Health Resources and Services Administration (HRSA) with their National Provider Identification (NPI) and their MO HealthNet Division (MHD) provider number for each site that carves in for inclusion in the HRSA Medicaid Exclusion File. **[The]** MHD requires the **[MO HealthNet]** MHD provider number to be included on the Medicaid Exclusion File to identify providers that carve-in Medicaid and to prevent duplicate discounts. **A duplicate discount is defined as a covered entity receiving a discounted drug through the 340B program from the manufacturer, and MHD receives a rebate through the Medicaid Drug Rebate Program from the manufacturer for the same claim. Covered entity is defined in section 376.414.1(2), RSMo.**

(2) **[340B-c]**Covered entities **[are required to]** must identify 340B-purchased drugs **[at the claims level the following codes:]** using the Submission Clarification Code or modifier code on each claim that was 340B-purchased.

**[A]** Point-of-sale pharmacy claims: Submission Clarification Code (SCC) 20; and

**[B]** Medical and outpatient claims: Modifier JG or TB.]

(3) Failure to include the appropriate **[submission clarification code or modifier]** identifier on a 340B-purchased drug will result in the MHD collecting a rebate on the claim **[and]**, resulting in a potential duplicate discount. A duplicate discount may subject the covered entity to audit penalties. **[The]** MHD will deny claims identified as 340B purchased drugs at the claim level from providers who **[submit an SCC of 20 or 340B modifier but have not notified]** have yet to notify HRSA of carve-in status.

(4) **[Effective July 1, 2021, r]**Reimbursement for 340B-identified covered drugs for 340B providers as defined **[by 42 U.S.C. 256b(a) (4) and 42 U.S.C. 1396r-8(a)(5)(B)]** in Section 376.414.1(2), RSMo who carve-in for Medicaid will be determined by applying the following method:

**[A]** MHD will reimburse 340B-purchased drugs dispensed by pharmacy providers **[will be reimbursed]** at their actual acquisition cost, up to the 340B Maximum Allowable Cost (340B MAC) (calculated ceiling price) plus a professional dispensing fee. Covered entities **[are required to]** must bill no more than their actual acquisition cost plus the professional dispensing fee.

1. **[The]** MHD defines the 340B MAC (calculated ceiling price) **[is defined]** as the Average Manufacturer Price (AMP) minus Unit Rebate Agreement (URA) as reported by the Centers for Medicare & Medicaid (CMS) quarterly;

2. **[Actual]** MHD defines actual acquisition cost **[is defined]** as the invoice cost for the **[NDC]** National Drug Code (NDC) per billing unit. This does not include timely pay discounts or discounts paid as a rebate on a separate invoice for volume-

based purchases; and

**3. MHD calculates the professional dispensing fee according to 13 CSR 70-20.060; and**

(B) **MHD will reimburse** *[P]*physician-administered drugs purchased through the 340B program *[will be reimbursed]* at the lesser of the physician-administered 340B MAC or the actual acquisition cost submitted by the provider. *[A]* **MHD does not apply** a professional dispensing fee *[is not applied]* to physician-administered drugs.

1. *[The Physician-Administered 340B MAC is calculated by adding six percent (6%), up to six hundred dollars (\$600), to the calculated ceiling price]* MHD adds six percent (6%), up to six hundred dollars (\$600), to the 340B MAC to calculate the physician-administered 340B MAC.

(5) *[340B contract pharmacies are not covered under this policy and must carve-out Medicaid from their 340B operation unless MHD approves an exception]* MHD does not allow 340B contract pharmacies to carve-in under this policy.

(6) MHD may carve-out certain medications and categories of medications from 340B participation for MHD reimbursement. Medications subject to the carve-out will be reimbursed according to 13 CSR 70-20.070. The following medications and categories of medications are carved-out of reimbursement through the 340B program:

(A) Drugs approved by the FDA for the treatment of obesity; and

(B) Cell and Gene Therapies.

*AUTHORITY: sections [208.153,] 208.201, and 660.017, RSMo 2016, and section 208.153, RSMo Supp. 2024. Emergency rule filed April 26, 2021, effective July 1, 2021, expired Feb. 24, 2022. Original rule filed April 26, 2021, effective Nov. 30, 2021. Emergency amendment filed Nov. 21, 2024, effective Dec. 9, 2024, expires June 6, 2025. A proposed amendment covering the same material is published in this issue of the Missouri Register.*

*PUBLIC COST: This emergency amendment will cost public entities \$1,048,079.50 in the time the emergency amendment is effective.*

*PRIVATE COST: This emergency amendment will cost private entities \$4,774,584.50 in the time the emergency amendment is effective.*



**FISCAL NOTE  
PUBLIC COST**

I. Please include clear instructions regarding what information to include in this field:

**Department Title:** Title 13 - Department of Social Services

**Division Title:** Division 70 - MO HealthNet Division

**Chapter Title:** Chapter 20 – Pharmacy Programs

<b>Rule Number and Name:</b>	13 CSR 70-20.075 340B Drug Pricing Program
<b>Type of Rulemaking:</b>	Emergency Amendment

**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Department of Social Services MO HealthNet Division	<ul style="list-style-type: none"><li>Estimated Cost for Public Covered Entities January 1, 2025 – June 30, 2025 = \$1,048,079.50</li><li>Estimated Ongoing Cost for Public Covered Entities = \$2,096,159</li><li>Estimated Savings for MHD from January 1, 2025 – June 30, 2025 = \$4,252,743</li><li>Estimated Ongoing Annual Savings to MHD = \$8,505,486 in savings</li></ul>

**III. WORKSHEET**

**Cell and Gene Therapy Worksheet MHD Costs/Savings:**

Number of cell and gene therapy claims billed to the MO HealthNet Division (MHD) during SFY24	101
Number of 340B purchased cell and gene therapy claims billed to MHD by Covered Entities during SFY24	3
The amount reimbursed for 340B purchased cell and gene therapy claims billed to MHD by Covered Entities during SFY24 (proxy for CE's actual acquisition cost)	\$5,985,015
The amount that MHD would reimburse for the same claims had they not been purchased through the 340B program (proxy for CE's actual acquisition cost if not purchased through 340B program):	\$7,708,824
The difference in actual acquisition cost for cell and gene therapy when utilizing non-340B stock compared to 340B stock	\$1,723,809
The increased rebate revenue based on a weighted average of supplemental rebates (32.2% of ingredient cost):	\$2,482,241

Updated 01/31/2021

The increased rebate revenue based on the average of federal rebates (based on the difference between 340B and non-340B reimbursement for the 3 claims):	\$1,723,809
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**Anti-Obesity Worksheet MHD Costs/Savings:**

Anticipated Prescriptions for an Anti-obesity Agent for 1 year	170,000
Average cost of claim for Anti-Obesity Agent	\$1,041.00
Average Supplemental Rebate Percentage (Based on weighted average of current supplemental rebate contracts for all drugs)	32.20%
Anticipated Percentage of Anti-Obesity Agents filled at 340B Covered Entities using 340B stock	10.57%
Additional Supplemental Rebate Captured by not allowing 340B Covered Entities to use 340B stock for MHD Participants	\$6,023,245
Additional Federal Rebate Captured by not allowing 340B Covered Entities to use 340B stock for MHD Participants (53.04%)	\$9,921,519

**Cell and Gene Therapy Worksheet Public and State-Owned Covered Entities:**

Number of cell and gene therapy claims billed to the MO HealthNet Division (MHD) during SFY24	101
Number of 340B purchased cell and gene therapy claims billed to MHD by Covered Entities during SFY24	3
The amount reimbursed for 340B purchased cell and gene therapy claims billed to MHD by Covered Entities during SFY24 (proxy for CE's actual acquisition cost)	\$5,985,015
The amount that would have been reimbursed for the same claims had they not been purchased through the 340B program (proxy for CE's actual acquisition cost if not purchased through 340B program)	\$7,708,824
The difference in actual acquisition cost for cell and gene therapy when utilizing non-340B stock compared to 340B stock	\$1,723,809

**Anti-Obesity Worksheet Public and State-Owned Covered Entities:**

Anticipated Prescriptions for an Anti-obesity Agent for 1 year	170,000
Average cost of claim for Anti-Obesity Agent	\$1,041
Average Federal Rebate Percentage for all MHD Drug Claims	53.04%
Anticipated Percentage of Anti-Obesity Agents filled at 340B Covered Entities using 340B stock	10.57%



Increased purchase price of anti-obesity agents when utilizing non-340B compared to 340B (amount to be offset by increased MO HealthNet reimbursement)	\$9,921,519
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**MHD Costs/Savings**

<b>Change</b>	<b>Estimated Cost</b>
<b>Cell and Gene Therapy</b>	<b>\$2,482,241</b>
<b>Anti-obesity</b>	<b>\$6,023,245</b>
<b>Total</b>	<b>\$8,505,486</b>

**Public and State-Owned Covered Entities:**

<b>Change</b>	<b>Estimated Cost</b>
Cell and Gene Therapy	\$1,723,809
Anti-obesity	\$9,921,519
Total	\$11,645,328
Percentage of claims attributable to Public Covered Entities	18%
Total Estimated Cost for Public Entities	\$2,096,159
6-month impact for duration of Emergency Regulation	\$1,048,079.50

**IV. ASSUMPTIONS**

**Assumptions for both Cell and Gene Therapy and Anti-Obesity estimates**

- The estimated increase in annual expenditures by Covered Entities will be offset by an equal increase in claims payment by MHD, resulting in no net change in profit for the Covered Entity. Savings to the state are realized through increased rebate revenue, which more than offset the increased reimbursement to the Covered Entities.
- Covered Entities bill MHD for 340B-purchased, non-physician-administered medications at the actual acquisition cost.
- Covered Entities have established processes for purchasing 340B and non-340B medications and billing MHD with the appropriate claim level identifier.
  - During SFY24, Covered Entities utilized non-340B stock for MHD participants 23.72% of the time based on paid claims history.
- MHD reimburses providers based on actual acquisition cost reimbursement methodology. If a Covered Entity purchases a medication outside of the 340B program, MHD will reimburse at the higher, non-340B rate, resulting in a higher expenditure by the Covered Entity and with a higher reimbursement by MHD.
- The supplemental rebate that the state would forgo for each 340B claim:
  - Based on the confidential and propriety nature of the supplemental rebate amounts, MHD utilized the overall weighted average of supplemental rebates for drugs from supplemental rebate agreements in place for April 1, 2024 – June 30, 2024, and actual utilization during the quarter, 32.2% of the total cost per claim.

- To calculate the anticipated impact to public facilities, MHD utilized percentage of 340B claims during SFY24 that were billed to MO HealthNet from public Covered Entities (18%)

**Cell and Gene Therapy assumptions**

- Covered Entities are purchasing cell and gene therapies at the ceiling price when purchased through the 340B program.
- Estimates are based on SFY2024 MHD paid claims data and pricing on the date of service.

**Anti-Obesity assumptions**

MHD does not currently cover drugs approved by the FDA for anti-obesity. MHD utilized the overall average federal rebate percentage to estimate the ceiling price paid by Covered Entities for anti-obesity agents. The federal rebate amounts are confidential and proprietary pursuant to Section 1927 of the Social Security Act (42 U.S.C. § 1396r-8). MHD calculated an anticipated fiscal impact based on the following:

- The estimated number of participants who would qualify for anti-obesity treatment.
- The current utilization of drugs with the same mechanism of action as the anti-obesity treatments.
- The anticipated percentage of participants who would seek treatment, based on a review of other State Medicaid Programs, discussions with MHD providers, and market analysis.
- The percentage of the participants who would receive the anti-obesity drug through a Covered Entity with 340B stock based on the percentage of overall MHD pharmacy claims that are billed as 340B stock by covered entities (10.57% during April 1, 2024 – June 30, 2024).
- Federal rebate to calculate the ceiling price for each 340B claim.
  - Based on the confidential and propriety nature of the federal rebate amounts, MHD utilized the overall average of federal rebates for drugs in place from April 1, 2024 to June 30, 2024, and actual utilization during the quarter, 53.04% of the total cost per claim.

**FISCAL NOTE  
PRIVATE COST**

**I.**

**Department Title:** Title 13 - Department of Social Services  
**Division Title:** Division 70 - MO HealthNet Division  
**Chapter Title:** Chapter 20 – Pharmacy Programs

<b>Rule Number and Title:</b>	13 CSR 70-20.075 340B Drug Pricing Program
<b>Type of Rulemaking:</b>	Emergency Amendment

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
449	Covered Entities billing claims for 340B purchased medications	Six month estimated cost: \$4,774,585 Annual estimated cost: \$9,549,169

**III. WORKSHEET**

**Cell and Gene Therapy Worksheet:**

Number of cell and gene therapy claims billed to the MO HealthNet Division (MHD) during SFY24	101
Number of 340B purchased cell and gene therapy claims billed to MHD by Covered Entities during SFY24	3
The amount reimbursed for 340B purchased cell and gene therapy claims billed to MHD by Covered Entities during SFY24 (proxy for CE's actual acquisition cost)	\$5,985,015
The amount that would have been reimbursed for the same claims had they not been purchased through the 340B program (proxy for CE's actual acquisition cost if not purchased through 340B program)	\$7,708,824
The difference in actual acquisition cost for cell and gene therapy when utilizing non-340B stock compared to 340B stock	\$1,723,809

**Anti-Obesity Worksheet:**

Anticipated Prescriptions for an Anti-obesity Agent for 1 year	170,000
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Average cost of claim for Anti-Obesity Agent	\$1,041
Average Federal Rebate Percentage for all MHD Drug Claims	53.04%
Anticipated Percentage of Anti-Obesity Agents filled at 340B Covered Entities using 340B stock	10.57%
Increased purchase price of anti-obesity agents when utilizing non-340B compared to 340B (amount to be offset by increased MO HealthNet reimbursement)	\$9,921,519

Change	Estimated Cost
Cell and Gene Therapy	\$1,723,809
Anti-obesity	\$9,921,519
Total	\$11,645,328
Percentage of claims attributable to Private Covered Entities	82%
Total Estimated Cost for Private Entities	\$9,549,169
6 month impact for the duration of Emergency Regulation	\$4,774,585

#### IV. ASSUMPTIONS

##### Assumptions for both Cell and Gene Therapy and Anti-Obesity estimates

- The estimated increase in annual expenditures by Covered Entities will be offset by an equal increase in claims payment by MHD, resulting in no net change in profit for the Covered Entity. Savings to the state are realized through increased rebate revenue, which more than offsets the increased reimbursement to the Covered Entities.
- Covered Entities bill MO HealthNet for 340B-purchased, non-physician-administered medications at the actual acquisition cost.
- Covered Entities have established processes for purchasing 340B and non-340B medications and billing MHD with the appropriate claim level identifier.
  - During SFY24, Covered Entities utilized non-340B stock for MO HealthNet participants 23.72% of the time based on paid claims history.
- MHD reimburses providers based on actual acquisition cost reimbursement methodology. If a Covered Entity purchases a medication outside of the 340B program, MHD will reimburse at the higher, non-340B rate, resulting in a higher expenditure by the Covered Entity and a higher reimbursement by MHD.
- To calculate the anticipated impact to private facilities, MHD utilized percentage of 340B claims during SFY24 that were billed to MO HealthNet from private Covered Entities (82%)

##### Cell and Gene Therapy assumptions

- Covered Entities are purchasing cell and gene therapies at the ceiling price when purchasing through the 340B program.
- Estimates are based on SFY2024 MO HealthNet paid claims data.

**Anti-Obesity assumptions**

MO HealthNet (MHD) does not currently cover drugs approved by the FDA for anti-obesity. MHD utilized the overall average federal rebate percentage to estimate the ceiling price paid by Covered Entities for anti-obesity agents. The federal rebate amounts are confidential and proprietary pursuant to Section 1927 of the Social Security Act (42 U.S.C. § 1396r-8).

MHD calculated an anticipated fiscal impact based on the following:

- The estimated number of participants who would qualify for anti-obesity treatment.
- The current utilization of drugs with the same mechanism of action as the anti-obesity treatments.
- The anticipated percentage of participants who would seek treatment, based on a review of other State Medicaid Programs, discussions with MHD providers, and market analysis.
- The percentage of the participants who would receive the anti-obesity drug through a Covered Entity with 340B stock based on the percentage of overall MHD pharmacy claims that are billed as 340B stock by covered entities (10.57% during April 1, 2024 – June 30, 2024).
- Federal rebate to calculate the ceiling price for each 340B claim.
  - Based on the confidential and propriety nature of the federal rebate amounts, MHD utilized the overall average of federal rebates for drugs in place from April 1, 2024, to June 30, 2024, and actual utilization during the quarter, 53.04% of the total cost per claim.

The Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo.

EXECUTIVE ORDER  
24-16

TO ALL DEPARTMENTS AND AGENCIES:

This is to advise that state offices of the executive branch under the purview of the Governor will close at 12:00 p.m. on Tuesday, December 24, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 9th day of December, 2024.



  
MICHAEL L. PARSON  
GOVERNOR

ATTEST:

  
JOHN R. ASHCROFT  
SECRETARY OF STATE

**T**he text of proposed rules and changes will appear under this heading. A notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This explanation is set out in the PURPOSE section of each rule. A citation of the legal authority to make rules is also required, and appears following the text of the rule, after the word “Authority.”

**E**ntirely new rules are printed without any special symbology under the heading of proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules that are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

**A**n important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment, or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

**I**f an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

**A**n agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close-of-comments date will be used as the beginning day in the ninety- (90-) day count necessary for the filing of the order of rulemaking.

**I**f an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice, file a new notice of proposed rulemaking, and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

**Boldface text indicates new matter.**

*[Bracketed text indicates matter being deleted.]*

### TITLE 3 – DEPARTMENT OF CONSERVATION

#### Division 10 – Conservation Commission

#### Chapter 12 – Wildlife Code: Special Regulations for Areas Owned by Other Entities

#### PROPOSED AMENDMENT

**3 CSR 10-12.130 Fishing, General Provisions and Seasons.** The commission proposes to remove subsection (3)(C) and re-letter the subsequent subsections of this rule.

*PURPOSE: This amendment removes Missouri Western State University (South Pond) from areas where fishing is permitted only by reservation by educational groups, and fish must be returned to the water unharmed immediately after being caught except as provided by special use permit.*

(3) Fishing is permitted only by reservation by educational

groups, and fish must be returned to the water unharmed immediately after being caught except as provided by special use permit on the following areas or individually named lakes:

(A) Chillicothe R-2 School District (Litton Center Pond);

(B) Jackson County (Fleming Park ponds);

*[(C) Missouri Western State University (South Pond)]*

*[(D)](C)* St. Louis County (Suson Rearing Pond); and

*[(E)](D)* St. Louis (Forest Park–Bullfrog Lake, Catfish Cove, Cypress Lake, Fish Tail Lake).

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const., and section 252.040, RSMo 2016. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the Code of State Regulations. Amended: Filed Nov. 20, 2024.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department’s website at <https://short.mdc.mo.gov/Z49>. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

### TITLE 5 – DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

#### Division 25 – Office of Childhood

#### Chapter 100 – Early Childhood Development

#### PROPOSED RULE

#### 5 CSR 25-100.350 Early Learning Quality Assurance Report

*PURPOSE: This rule implements the provisions of section 161.217, RSMo, for the purpose of recognizing quality in early learning and education programs and supporting the implementation of essential quality practices.*

(1) General Requirements.

(A) Participation shall be voluntary.

(B) Participation is open to eligible programs.

1. Local education agencies.

A. Local education agencies shall designate which classrooms will participate in the quality assurance report.

2. Child care programs licensed by the Department of Elementary and Secondary Education (the department).

3. Programs exempt from licensure per section 210.211, RSMo, and contracted with the department to accept child care subsidy.

(C) Participation requires providing services to children between birth to kindergarten entry.

(D) Participation requires all classrooms serving children between birth to kindergarten entry within programs in paragraphs (1)(B)2. and (1)(B)3. to participate in the quality assurance report.



## (2) Quality Indicators.

## (A) Quality interactions.

1. Teacher–child interactions.
2. Classroom environment.

## (B) Operational practices.

1. Business practices.
2. Staff qualifications.
3. Professional development.
4. Health and wellness.
5. Enhanced program features.

## (C) Responsive practices.

1. Curriculum.
2. Child assessment.
3. Inclusion and expulsion policy.
4. Family/community engagement.
5. Cultural and linguistic competency.

## (3) Quality Designations.

(A) A program will be recognized as demonstrating quality when –

1. Quality interactions have been achieved based on an average of the assessment scores;
2. Three (3) operational practices have been achieved; and
3. Three (3) responsive practices have been achieved.

(B) A program will be recognized as exhibiting high quality when –

1. Quality interactions have been achieved based on average assessment scores;
2. Four (4) operational practices have been achieved; and
3. Four (4) responsive practices have been achieved.

(C) Quality indicators shall be assessed every two (2) years.

(D) The department shall not publish the quality designation for any program that is subject to legal proceedings for licensing revocation, that are operating under a probationary license, or that is no longer contracted with the department to accept child care subsidy. However, a program that meets one of these criteria may continue to participate in the quality assurance report without receiving any recognition or privileges associated with the quality designation.

(4) Programs may receive coaching to improve quality that is customized and based on an agreed-upon frequency between the program administrator and a quality specialist.

(A) All classrooms may receive coaching from a quality specialist until both paragraphs (2)(A)1. and (2)(A)2. assessment scoring thresholds have been achieved.

(B) Program administration may receive technical assistance from a quality specialist to work towards achieving a quality designation.

## (5) Continuing Eligibility.

(A) If a program transfers ownership, the program may maintain its quality designation if –

1. The departmental vendor number remains the same;
2. The program remains in the same physical location;
3. The program capacity and age groups served remains the same; and
4. The program retains at least fifty percent (50%) of instructional and administrative staff.

(B) Programs will be removed from the quality assurance report if –

1. The program provides inaccurate or fraudulent information;
2. The program does not achieve a quality designation in the first four (4) years;
3. The program staff are uncooperative with the

department or designees; or

4. The program is no longer eligible to participate.

(C) Programs that have been removed from the quality assurance report may not return to the quality assurance report for twelve (12) months from the date of removal.

(6) Programs may appeal department decisions related to the following:

(A) Quality interactions assessment if –

1. The assessor did not use the appropriate assessment tool;
2. The observation and rating protocol of the department approved assessment tool was not followed; or
3. The assessor had a conflict of interest or exhibited bias during the assessment;

(B) Operational practices and responsive practices quality indicators if –

1. Submitted documentation was not reviewed; or
2. Program disagrees with the result; and

(C) Programs shall submit appeals in writing to the department within fifteen (15) calendar days of the assessment or quality indicator decision.

1. Appeals shall be reviewed by a three- (3-) person panel including department staff, a quality specialist, and a quality supervisor.

A. Panelists shall be from a different region than the program.

B. Panelists shall not have direct experience working with the program.

2. The decision of the panel will be final.

A. If the original decision is upheld, the program will be notified.

B. If the original decision is overturned, the program will be notified. If the indicator is in –

(I) Quality interactions, the program will be reassessed by a different assessor; and

(II) Operational practices or responsive practices, the appealed indicator will be awarded.

*AUTHORITY: section 161.092, RSMo 2016, and section 161.217, RSMo Supp. 2024. Original ruled filed: Nov. 19, 2024.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with Stephanie Chandler, Department of Elementary and Secondary Education, Office of Childhood, PO Box 480, Jefferson City, MO 65102-0480, by faxing (573) 526-8000, or via email at QAR@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

**TITLE 10 – DEPARTMENT OF NATURAL RESOURCES**  
**Division 25 – Hazardous Waste Management**  
**Commission**  
**Chapter 6 – Rules Applicable to Transporters of**  
**Hazardous Waste**

PROPOSED AMENDMENT

**10 CSR 25-6.263 Standards for Transporters of Hazardous Waste.** The department is amending sections (1) and (2).

*PURPOSE: This proposed amendment updates, removes, and adds references to state regulations.*

(1) The regulations set forth in 40 CFR part 263, July [1, 2013] **3, 2024**; 49 CFR parts 171–180, [November 1, 1990, and December 1, 1997] **July 3, 2024**; and 49 CFR parts 40, 383, 387, 390–397, [October 1, 1990, and October 1, 1997] **July 3, 2024**, as published by the Office of the Federal Register, National Archives and Records Administration, Superintendent of Documents, Pittsburgh, PA 15250-7954, are incorporated by reference, except for 49 CFR 390.3(f)(2), which is not incorporated by reference. This rule does not incorporate any subsequent amendments or additions. Except as provided otherwise in this rule, the substitution of terms set forth in 10 CSR 25-3.260(1)(A) applies in this rule in addition to any other modifications set forth in section (2) of this rule except that the modifications do not apply to the 49 CFR parts incorporated in this rule. Where conflicting rules exist in 10 CSR 25, the more stringent rules control, **but in no circumstance shall the more stringent rule violate the statutory requirements set forth in section 260.373, RSMo.**

(2) A hazardous waste transporter shall comply with the requirements of this section in addition to those set forth in section (1). Any reference to a 40 CFR cite in this section means as that provision is incorporated in 10 CSR 25. (Comment: This section has been organized in order within the corresponding subsection of this section. For example, the additional requirements being added to 40 CFR part 263 subpart A are found in subsection (2)(A).)

(A) In addition to the requirements in 40 CFR part 263 subpart A, the following applies:

1. In 40 CFR 263.10(a) and (c)(1), incorporated in this rule, substitute “the state of Missouri” for “United States”;

2. [In the last paragraph of] **Add to the note following 40 CFR 263.10(a), change “49 CFR parts 171 through 179” to “49 CFR parts 171 through 180 and parts 383, 387, and 390–397” and add] the following [to the note]:** “The parts of 49 CFR are incorporated to the extent that these regulations do not conflict with the laws and regulations of the state of Missouri, or, in the event the regulations conflict, the more stringent regulations control. The equipment used in the transportation of hazardous waste shall meet the standards of the Missouri Department of Transportation’s Division of Motor Carrier and Railroad Safety, the United States Department of Transportation, and the Federal Railroad Administration, or any combination of them, as applicable for the types of hazardous materials for which it will be used. The equipment to be used in the transportation of hazardous waste shall be compatible with that waste and adequate to protect the health of humans and prevent damage to the environment”;

3. License requirements for power unit transporters of hazardous waste, used oil, or infectious waste. In accordance with 10 CSR 25-6.263, 10 CSR 25-11.279(2)(E)1., or 10 CSR 80-7.010(4), to be licensed by the department, hazardous waste transporters shall comply with the following requirements:

A. Power unit transporters shall submit to the department an application for a license on a form furnished by the department and completed with the following information:

(I) The applicant’s name, address, location of the

principal office[, or place of business, and the legal owner of the applicant company;

(II) A description of the service proposed to be rendered;

(III) The applicant’s Environmental Protection Agency (EPA) identification number;

(IV) The number of power units to be used;

(V) A certification that the applicant’s equipment and operating procedures meet the standards of the Missouri Division of Motor Carrier and Railroad Safety, the Federal Department of Transportation (DOT), or the Federal Railroad Administration, or both;

(VI) A description of each power unit to include make, model, year, vehicle identification number (VIN), licensed vehicle weight, and state and number of the license plate and a description of the trailers (cargo box, van, tank) and maximum trailer capacities used by the transporter;

(VII) A disclosure statement for the applicant, principal corporate officers, and the holders of more than twenty percent (20%) of the applicant company. If any of these persons were involved in hazardous waste management before their association with the applicant company, the applicant shall submit this information to the department including the names of these persons and the names and locations of the companies with which they were associated; and

(VIII) For applicants who are not residents of Missouri, a written statement designating the director of the department as the authorized agent upon whom legal service may be made for all actions arising in Missouri from any operation of motor vehicles under authority of the department[.];

B. In addition to the completed application, an applicant shall submit each of the following:

(I) A fee as specified in 10 CSR 25-12.010;

(II) The insurance document(s) as specified in paragraph (2)(A)4. of this rule; and

(III) Statements, documents, or both, of the following, where applicable:

(a) If the applicant is a partnership, include an affidavit to this effect signed by the proprietor or include a copy of the partnership agreement. If no written partnership agreement has been entered into, include a statement summarizing the agreement between the parties which is signed by each of the partners and certified by a notary public;

(b) If the applicant is a Missouri corporation or a foreign corporation with authority to conduct business in Missouri or is a foreign corporation with facilities or employees in Missouri, a Certificate of Corporate Good Standing from the Missouri secretary of state and if the applicant is a nonresident corporation without facilities or employees in Missouri, a Certificate of Good Standing from the state or country of residence; and

(c) If the applicant is conducting its business under an assumed or fictitious name, a certified copy of the registration with the Missouri secretary of state of the assumed or fictitious name[.];

C. License renewal.

(I) At least sixty (60) days prior to the expiration date of his/her current license, a hazardous waste transporter wishing to renew his/her license shall submit a license renewal application on a form furnished by the department, including a Certificate of Corporate Good Standing issued within the twelve (12) months preceding the license expiration date, documents that satisfy the insurance requirements in paragraph (2)(A)4. of this rule, except for other than power unit carriers, and a fee as specified in 10 CSR 25-12[.];

D. Power unit additions, replacements, and temporary permits. Changes made to the power unit listings as shown on the current license application or renewal form shall be reported to the department as follows: A power unit can be added by submitting a written description of the power unit to be added and paying a fee in accordance with 10 CSR 25-12.010. A power unit can be replaced for another without any charge by submitting a description of the original power unit and its replacement. A power unit can be issued a temporary permit for a thirty- (30-) day period by submitting a written description of the power unit and paying a fee in accordance with 10 CSR 25-12.010[.];

E. Proof of license. A transporter shall carry proof of license with each power unit transporting hazardous waste within Missouri. A legible copy of this certificate shall be in the possession of the driver of the power unit and shown upon demand to representatives of the department, officers of the Missouri State Highway Patrol, and other law enforcement officials;

#### 4. Insurance.

A. Transporters licensed in accordance with this chapter shall at all times have on file with the department a certification of public liability (bodily injury and property damage) insurance which includes the required, uniform endorsements covering each motor vehicle in accordance with 49 CFR part 387 incorporated by reference in this rule. The minimum level of insurance coverage shall not be less than one (1) million dollars combined single limit. ([*Comment*] **Note:** The federal regulations at 49 CFR 387.9 set forth certain conditions which require five (5) million dollars coverage.)

B. The certificate of insurance shall –

(I) State that the insurer has issued to the motor carrier a policy of insurance which, by endorsement, provides automobile bodily injury and property damage liability insurance covering the obligations imposed upon the motor carrier by the provisions of the law of Missouri;

(II) Be duly completed and executed by the insurer on Form E – Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance;

(III) Be duly completed and executed by the insurer with the endorsements made on Form F – Uniform Motor Carrier Bodily Injury and Property Damage Liability Insurance Endorsements attached to the insurance policy and forming a part of that policy; and

(IV) Include a surety bond, duly completed and executed by the surety and principal, in the form set forth in Form G – Uniform Motor Carrier Bodily Injury and Property Damage Surety Bond.

C. An insurer under the provisions of this rule shall submit to the department not fewer than thirty (30) days' notice of cancellation of motor carrier bodily injury and property damage liability insurance by filing with the department the form of notice set forth in Form K – Uniform Notice of Cancellation of Motor Carrier Insurance Policies. The notice shall be duly completed and executed by the insurer. A surety under the provisions of this rule shall give the department not fewer than thirty (30) days' notice of the cancellation of motor carrier bodily injury and property damage liability surety bond by filing with the department the form of notice set forth in Form L – Uniform Notice of Cancellation of Motor Carrier Surety Bond. The notice shall be duly completed and executed by the surety or motor carrier.

D. Forms E, F, G, K, and L referred to in subparagraphs (2) (A)4.B. and C. of this rule are the standard forms determined by the National Association of Regulatory Utility Commissioners and promulgated by the Interstate Commerce Commission

pursuant to the provisions of section 202(b)(2) of the Interstate Commerce Act, 49 U.S.C. section 302(b)(2), 1994.

E. Before any policy of insurance will be accepted by the department, the insurance company issuing the policy or the carrier offering the same, upon request of the department, shall furnish evidence satisfactory to the department that the insurance company issuing the policy is duly authorized to transact business in Missouri and that it is financially able to meet the obligations of the policy offered.

F. All insurance certificates and surety bonds filed with the department shall remain on file with the department and shall not be removed except with the written permission of the director.

G. A new certificate of insurance shall be filed for reinstatement of insurance which has been canceled;

5. Vehicle marking. The transportation vehicle used to ship hazardous waste shall be marked in accordance with 49 CFR 390.21(b) and (c);

6. No hazardous waste shall be accepted for transport unless it has been properly loaded and secured in accordance with 49 CFR 177.834;

7. Incompatible wastes. A waste shall not be added to an unwashed or uncleaned container that previously held an incompatible material;

8. In addition to the requirements in 40 CFR 263.10(c)(1), add the following requirements: A transporter who accepts shipments of hazardous waste from a person not subject to registration as a generator in accordance with 10 CSR 25-5.262, and in so doing accumulates one hundred kilograms (100 kg) or more of hazardous waste, becomes a generator and shall comply with 10 CSR 25-5.262 in addition to the requirements of this rule. (Note: This provision is not intended to apply to municipal waste haulers who may unknowingly pick up small quantities of hazardous waste that may have been deposited in solid waste containers along their routes.);

9. In addition to the requirements in 40 CFR 263.11, add the following: "In the event that an EPA identification number has not been assigned, the department will assign an EPA identification number." The applicant shall also submit an application for license in accordance with this rule at the time of notification; and

10. In addition to the requirements in 40 CFR 263.12, the following rules apply to transfer facilities (Note: Used oil transfer facilities are regulated under 10 CSR 25-11.279.):

A. A hazardous waste transported intrastate or into the state by motor carrier shall arrive at its destination in ten (10) calendar days, **excluding the time in a transfer facility**, or less from the date the initial transporter signs the manifest, or when the waste first enters the state, unless departmental approval is obtained prior to the expiration of the ten- (10-) day period;

B. A hazardous waste destined for out-of-state treatment, storage, or disposal shall leave the state in ten (10) calendar days, **excluding the time in a transfer facility**, or less from the date the initial transporter signs the manifest unless departmental approval is obtained prior to the expiration of the ten- (10-) day period;

C. A hazardous waste transported through the state by motor carrier shall pass through the state in ten (10) calendar days, **excluding the time in a transfer facility**, or less unless departmental approval is obtained prior to the expiration of the ten- (10-) day period;

D. A secondary containment system for storage of hazardous waste in containers at a transfer facility shall be designed, maintained, and operated as follows:

(I) With a base under the container(s) which is free



of cracks or gaps and is sufficiently impervious to contain leaks, spills, and accumulated precipitation until the collected material is detected and removed;

(II) With the base sloped or the containment system designed and operated to drain and remove liquids resulting from leaks, spills, or precipitation, unless the containers are elevated or are otherwise protected from contact with accumulated liquids;

(III) With a capacity equal to ten percent (10%) of the containerized waste volume or the volume of the largest container, whichever is greater (Containers that do not contain free liquids need not be considered in this calculation.);

(IV) With run-on into the containment system prevented unless the collection system has sufficient excess capacity in addition to that specified in part (2)(A)10.D.(I) of this rule to contain any run-on which might enter the system; *[and]*

(V) With removal of spilled or leaked waste and accumulated precipitation from the sump or collection area as necessary to prevent overflow of the collection system; and

(VI) Including the containment system as part of the weekly inspections specified in 40 CFR 265.174 incorporated by reference in 10 CSR 25-7.265(1);

E. The following requirements apply to the transporter's management of ignitable, reactive, incompatible, or volatile wastes at a transfer facility:

(I) Take precautions to prevent accidental ignition or reaction of ignitable or reactive wastes~~[/];~~;

(II) Separate and protect wastes identified in E. of this subsection from sources of ignition or reaction including, but not limited to, open flames, smoking, cutting and welding, hot surfaces, frictional heat, sparks (static, electrical, or mechanical), spontaneous ignition (that is, from heat-producing chemical reactions), and radiant heat~~[/];~~;

(III) While ignitable or reactive waste is being handled, confine smoking and open flame to specially designated locations~~[/]; and~~

(IV) Conspicuously place "No Smoking" signs wherever there is a hazard from ignitable or reactive waste;

F. Preparedness and prevention. A transporter shall equip the transfer station as specified in 40 CFR 265.32 incorporated by reference in 10 CSR 25-7.265(1). In addition, a transporter shall also provide safety equipment such as fire blankets, gas masks, and self-contained breathing apparatus unless the hazards posed by the type of waste managed does not warrant using this additional safety equipment;

G. Closure. At closure of the storage area, a transporter shall remove and properly dispose of all hazardous waste and hazardous residues. For the purpose of this subparagraph, closure shall occur when the storage of hazardous wastes has not occurred, or is not expected to occur for one (1) year, or when the transporter's license lapses, whichever first occurs;

H. The contents of separate containers of hazardous waste may not be combined at a transfer facility. Individual lab-packed containers may be placed in a larger container if, when containers are overpacked, the transporter affixes labels to the overpack container, which are identical to the labels on the original shipping container; and

I. A transfer facility shall not be the same facility as designated in item 8 of the manifest.

(B) Compliance with the Manifest System and Record~~[K]~~ keeping. This subsection sets forth requirements in addition to or in lieu of the requirements set forth in 40 CFR part 263 subpart B.

1. Manifests.

A. In *[lieu of]* addition to the requirements in 40 CFR

263.20(a), the following shall apply:

(I) In addition to the requirements in 10 CSR 25-5.262, a transporter shall not accept hazardous waste from a generator unless it is accompanied by a completed uniform hazardous waste manifest signed and dated by the generator containing information in accordance with Subpart B of 40 CFR part 262, except that the transporter may accept shipments of hazardous waste without a manifest from persons not subject to registration as provided in 10 CSR 25-5.262(2)(A) provided that the waste is transported only to a facility which is permitted or certified to accept the waste. The transporter shall maintain records on wastes accepted from those generators which contain information including the type or identity of each waste, the source of each waste, and disposition of each waste. (Note: This paragraph is not intended to apply to municipal waste haulers who may unknowingly pick up small quantities of hazardous waste that may have been deposited in solid waste containers along their routes.);

(II) Hazardous waste shall be transferred between licensed transporters only; and

(III) For exports, the transporter shall also comply with the following:

(a) Accept no hazardous waste from a primary exporter or other person – 1) if s/he knows the shipment does not conform to the EPA Acknowledgement of Consent, and 2) unless, in addition to a manifest signed in accordance with 10 CSR 25-5, the waste is also accompanied by an EPA Acknowledgement of Consent which, except for shipment by rail, is attached to the manifest (or shipping paper for exports by water (bulk shipment));

(b) Use shipping papers for exports by water (bulk shipment) that contain all the information required on the manifest and, for exports, accompany the hazardous waste with an EPA Acknowledgement of Consent;

(c) If a rail transporter, ensure that a shipping paper contains all the information required on the manifest and, for exports, an EPA Acknowledgement of Consent accompanies the hazardous waste at all times; and

(d) Provide a copy of the manifest to a United States Customs official at the point of departure from the United States.

B. In addition to requirements in 40 CFR 263.22, the following shall apply:

(I) Each day that a vehicle is used for the transportation of hazardous waste, the driver of that vehicle, prior to the transportation, shall inspect the vehicle to meet the requirements of 49 CFR 396.11 incorporated by reference in section (1) of this rule;

(II) Document the vehicle inspection in writing;

(III) At a minimum once annually, transporters shall provide and document hazardous waste/materials training for each driver employee who transports hazardous waste;

(IV) Make records relating to hazardous waste transportation available to representatives of the department for inspection and copying during regular business hours; and

(V) Maintain current files on driver vehicle inspections, vehicle maintenance, annual employee training, and records of incident reports for a period of three (3) years. Files shall be maintained by the licensed transporter regardless of whether the vehicle(s) is owned or leased. The period of record retention for these records also extends automatically during the course of any unresolved enforcement action, and the records shall be available to authorized representatives of the department for inspection and copying during regular business hours.

## 2. (Reserved)

*AUTHORITY:* sections 260.370, [260.373,] 260.385, and 260.395, RSMo 2016, **and section 260.373, RSMo Supp. 2024.** Original rule filed Dec. 16, 1985, effective Oct. 1, 1986. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Nov. 25, 2024.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Natural Resources, PO Box 176, Jefferson City, MO 65102-0176. To be considered, comments must be received by March 27, 2025. A public hearing is scheduled for 10 a.m., March 20, 2025, at Bennett Springs Conference Room, 1730 East Elm St., Jefferson City, MO 65101.

**TITLE 10 – DEPARTMENT OF NATURAL RESOURCES****Division 25 – Hazardous Waste Management  
Commission****Chapter 8 – Public Participation and General  
Procedural Requirements****PROPOSED AMENDMENT**

**10 CSR 25-8.124 Procedures for Decision Making.** The department is amending sections (1) – (4).

*PURPOSE:* This proposed amendment updates material incorporated by reference, legal notice requirements, methods of notification to elicit public participation, and time frames for hazardous waste transport.

(1) **The regulations set forth in 40 CFR part 124, July 1, 2024, as published by the Office of the Federal Register, National Archives and Records Administration, Superintendent of Documents, Pittsburgh, PA 15250-7954, are incorporated by reference.** Except as provided otherwise in this rule, the substitution of terms set forth in 10 CSR 25-3.260(1)(A) apply in this rule, in addition to any other modifications established in paragraph (1)(A)2. of this rule. Where conflicting rules exist in 10 CSR 25, the more stringent rules control. (Comment: This section has been organized so that Missouri requirements analogous to a particular lettered subpart in 40 CFR part 124 are set forth in the corresponding lettered subsection of section (1) of this rule. For example, the general program requirements in 40 CFR part 124 subpart A, with Missouri modifications, are found in subsection (1)(A) of this rule.)

(A) This subsection sets forth requirements that correspond to those requirements in 40 CFR part 124 subpart A.

1. Purpose and scope. This subsection contains procedures for the review, issuance, class 3 or department-initiated modification, total modification, or revocation of all permits issued pursuant to sections 260.350 through [260.434] 260.433, RSMo. This subsection also contains procedures for the denial of a permit, either in its entirety or as to the active life of a

hazardous waste management facility or unit, under 40 CFR 270.29, as incorporated in 10 CSR 25-7.270. Interim status is not a permit and is covered by specific provisions in 10 CSR 25-7.265 and 10 CSR 25-7.270. Class 1 or class 2 permit modifications, as defined in 40 CFR 270.42 as incorporated in 10 CSR 25-7.270, are not subject to the requirements of this subsection.

2. Definitions. In addition to the definitions given in 40 CFR 270.2, as incorporated in 10 CSR 25-7.270, the definitions below apply to this rule:

A. “Draft permit” means a document prepared under paragraph (1)(A)6. of this rule indicating the department’s tentative decision to issue, deny, modify in part or in total, revoke, or reissue a “permit.” A notice of intent to revoke, as discussed in subparagraph (1)(A)5.D. of this rule, and a notice of intent to deny, as discussed in subparagraph (1)(A)6.B. of this rule, are types of draft permits. A denial of a request for modification, total modification, or revocation of a permit, as discussed in subparagraph (1)(A)5.B. of this rule, is not a type of “draft permit”;

B. “Formal hearing” means any contested case held under section 260.400, RSMo;

C. “Permit application” means the U.S. Environmental Protection Agency standard national forms for applying for a permit, including any additions, revisions, or modifications to the forms; or forms approved by the U.S. Environmental Protection Agency for use in Missouri, including any approved modifications or revisions. It also includes the information specified by the department under 40 CFR 270.14–270.29, as incorporated into 10 CSR 25-7.270;

D. “Public hearing” means any hearing on a tentative decision at which any member of the public is invited to give oral or written comments;

E. “Revocation” means the termination of a permit;

F. “Schedule of compliance” means a schedule of remedial measures in a permit, including an enforceable sequence of interim requirements (for example, actions, operations, or milestone events) leading to compliance with sections 260.350 through [260.434] 260.433, RSMo;

G. “Total modification” means the revocation and reissuance of a permit;

H. “Site” means the land or water area where any “facility or activity” is physically located or conducted, including adjacent land used in connection with the facility or activity; and

I. “Variance” means any variation from the Missouri Hazardous Waste Management Law as defined in section 260.405, RSMo.

## 3. Application for a permit.

A. Any person who requires a permit shall complete, sign, and submit to the department a permit application for each permit required under 40 CFR 270.1, as incorporated in 10 CSR 25-7.270. Permit applications are not required for permits by rule per 40 CFR 270.60, as incorporated in 10 CSR 25-7.270. The department shall not begin the processing of a permit until the applicant has fully complied with the permit application requirements for that permit, as provided under 40 CFR 270.10 and 270.13, as incorporated in 10 CSR 25-7.270. Permit applications shall comply with the signature and certification requirements of 40 CFR 270.11, as incorporated in 10 CSR 25-7.270(2)(A)(B)1., and 10 CSR 25-7.270.

**B. Reserved.**

[B.C.] The department shall review for completeness every permit application. Each permit application submitted by a new facility should be reviewed for completeness by the department within thirty (30) days of its receipt. Each permit application submitted by an existing facility should be reviewed

for completeness by the department within sixty (60) days of its receipt. Upon completing the review, the department will notify the applicant in writing whether the permit application is complete. If the permit application is incomplete, the department will list the information necessary to make the permit application complete. When the permit application is for an existing facility, the department will specify, in the notice of deficiency, a date for submitting the necessary information. The department will notify the applicant that the permit application is complete upon receiving the required information. After the permit application is complete, the department may request additional information from an applicant, but only as necessary to clarify, modify, or supplement previously submitted material. Requests for such additional information will not render a permit application incomplete.

**[C.]D.** If an applicant fails or refuses to correct deficiencies in the permit application, the permit may be denied and enforcement actions may be taken under the applicable statutory provisions of sections 260.350 through [260.434] 260.433, RSMo.

**E. If the department decides that a site visit is necessary for any reason in conjunction with the processing of a permit application, the department will notify the applicant and a date will be scheduled.**

**[D.]F.** The effective date of a permit application is the date the department notifies the applicant that the permit application is complete, as provided in subparagraph (1)(A)3.B. of this rule.

**[E.]G.** For each permit application the department will, no later than the effective date of the permit application, prepare and mail to the applicant a project decision schedule. The schedule will specify target dates by which the department intends to –

- (I) Prepare a draft permit;
- (II) Give public notice;
- (III) Complete the public comment period, including any public hearing; and
- (IV) Issue a final permit decision.

**[F.]** *If the department decides that a site visit is necessary for any reason in conjunction with the processing of a permit application, the department will notify the applicant and a date will be scheduled.]*

**[G.]H.** Whenever a facility or activity requires more than one (1) type of environmental permit from the state, the applicant may request, or the department may offer, a unified permitting schedule that covers the timing and order to obtain such permits, as provided in section 640.017, RSMo, and 10 CSR 1-3.010.

4. *Reserved.*

5. Modification, total modification, or revocation of permits.

A. Permits may be modified in part or in total, or revoked, either at the request of the permittee or of any interested person or upon the department's initiative. However, permits may only be modified or revoked for the reasons specified in 40 CFR 270.41 or 40 CFR 270.43, as incorporated in 10 CSR 25-7.270. All requests shall be in writing and shall contain facts and reasons supporting the request.

B. If the department decides the request is not justified, a brief written response giving a reason for the decision shall be sent to the person requesting the permit modification and to the permittee. Denial of a request for modification, in part or in total, or revocation of a permit is not subject to public notice, comment, or hearing, and is not appealable under section (2) of this rule.

C. Tentative decision to modify.

(I) If the department tentatively decides to modify a permit in part or in total, a draft permit incorporating the proposed changes will be prepared according to paragraph (1)(A)6. of this rule. The department may request additional information and, in the case of a partial permit modification, may require the submission of an updated permit application. In the case of a total permit modification, the department will require the submission of a new permit application.

(II) When a permit is partially modified under this paragraph, only the conditions being modified are reopened. All other conditions of the original permit remain in effect for the duration of the existing permit. When a permit is totally modified under this paragraph, the entire permit is reopened just as if the permit had expired and was being reissued. During any total modification, the permittee complies with all conditions of the existing permit until a new, final permit is issued.

(III) "Class 1 and class 2 permit modifications" as defined in 40 CFR 270.42, as incorporated in 10 CSR 25-7.270, are not subject to the requirements of this paragraph.

D. If the department tentatively decides to revoke a permit, the department will issue a notice of intent to revoke. A notice of intent to revoke is a type of draft permit and follows the same procedures as any draft permit decision prepared under paragraph (1)(A)6. of this rule.

**E. Reserved.**

**F. Reserved.**

**G. Reserved.**

6. Draft permits.

A. Once the technical review of a permit application is complete, the department shall tentatively decide whether to prepare a draft permit, or deny the permit application.

B. If the department tentatively decides to deny the permit application, a notice of intent to deny shall be issued. A notice of intent to deny is a type of draft permit and follows the same procedures as any draft permit decision prepared under this paragraph. If the department's final decision under paragraph (1)(A)15. of this rule is that the tentative decision to deny the permit application was incorrect, the department shall withdraw the notice of intent to deny and prepare a draft permit under this paragraph.

**C. Reserved.**

**[C.]D.** If the department tentatively decides to prepare a draft permit, the department will prepare a draft permit that contains the following information:

(I) All conditions under 40 CFR 270.30 and 270.32, as incorporated in 10 CSR 25-7.270;

(II) All compliance schedules under 40 CFR 270.33, as incorporated in 10 CSR 25-7.270;

(III) All monitoring requirements under 40 CFR 270.31, as incorporated in 10 CSR 25-7.270; and

(IV) Standards for treatment, storage, and/or disposal and other permit conditions under 40 CFR 270.30, as incorporated in 10 CSR 25-7.270.

**[D.]E.** All draft permits prepared under this paragraph will be accompanied by a fact sheet per paragraph (1)(A)8. of this rule, publicly noticed per paragraph (1)(A)10. of this rule, and made available for public comment per paragraph (1)(A)11. of this rule. The department will give notice of opportunity for a public hearing per paragraph (1)(A)12. of this rule, issue a final decision per paragraph (1)(A)15. of this rule, and respond to comments per paragraph (1)(A)17. of this rule. An appeal may be filed under section (2) of this rule.

**[E.]F.** Prior to making the draft permit available for public comment, the department shall deliver the draft



permit to the applicant for review, as provided in section 640.016.2, RSMo. The applicant shall have ten (10) days to review the draft permit for nonsubstantive drafting errors. The department shall make the applicant's changes to the draft permit within ten (10) days of receiving the applicant's review and then submit the draft permit for public comment. The applicant may waive the opportunity to review the draft permit prior to public notice.

7. *Reserved.*

8. Fact sheet.

A. A fact sheet will be prepared for every draft permit. The fact sheet will briefly set forth the principal facts and the significant factual, legal, methodological, and policy questions considered in preparing the draft permit. The department will send this fact sheet to the applicant and to any person who requests a copy.

B. The fact sheet shall include, when applicable[:]-

(I) A brief description of the type of facility or activity which is the subject of the draft permit;

(II) The type and quantity of wastes, fluids, or pollutants which are proposed to be or are being treated, stored, disposed of, injected, emitted, or discharged;

(III) *Reserved;*

[(III)](IV) A brief summary of the basis for the draft permit conditions including references to applicable statutory or regulatory provisions[:];

[(IV)](V) Reasons why any requested variances or alternatives to applicable standards do or do not appear justified;

[(V)](VI) A description of the procedures for reaching a final decision on the draft permit including[:]-

(a) The beginning and ending dates of the public comment period under paragraph (1)(A)10. of this rule and the address where comments will be received;

(b) Procedures for requesting a hearing and the nature of that hearing; and

(c) Any other procedures by which the public may participate in the final decision; *[and]*

[(VI)](VII) Name and telephone number of a department contact for additional information[:];

(VIII) *Reserved;*

(IX) *Reserved.*

9. *Reserved.*

10. Public notice of permit actions and public comment period.

A. Scope.

(I) The department will give public notice that the following actions have occurred:

(a) A notice of intent to deny a permit application has been prepared under subparagraph (1)(A)6.B. of this rule;

(b) A draft permit has been prepared under subparagraph (1)(A)6.[C.]D. of this rule;

(c) A hearing has been scheduled under paragraph (1)(A)12. of this rule; or

(d) A notice of intent to revoke a permit has been prepared under subparagraph (1)(A)5.D. of this rule[:];

(e) *Reserved.*

(II) No public notice is required when a request for permit modification, in part or in total, or revocation is denied. A brief written response giving a reason for the decision will be sent to the requester and to the permittee.

(III) Public notices may describe more than one (1) permit or permit action.

B. Timing.

(I) Public notice of the preparation of a draft permit (including a notice of intent to deny a permit application and

a notice of intent to revoke a permit) under subparagraph (1)(A)10.A. of this rule will allow at least forty-five (45) days for public comment.

(II) Public notice of a public hearing will be given at least thirty (30) days before the hearing. Public notice of the hearing may be given at the same time as the public notice of the draft permit, and the two (2) notices may be combined.

C. Methods. Public notice of activities described in part (1)(A)10.A.(I) of this rule will be given by the following methods:

(I) By mailing a copy of a notice to the following persons (any person otherwise entitled to receive notice under this part may waive their rights to receive notice for any permit):

(a) The applicant;

(b) **A copy of the notice shall also be sent to any other department program or federal agency which the department knows has issued or is required to issue a Resource Conservation and Recovery Act (RCRA), Hazardous and Solid Waste Amendments (HSWA), Underground Injection Control (UIC), Prevention of Significant Deterioration (PSD) (or other permit issued under the Clean Air Act), National Pollutant Discharge Elimination System (NPDES), Clean Water Act (CWA) Section 404 Permits, or sludge management permit for the same facility or activity (including the U.S. Environmental Protection Agency);**

[(b)](c) Federal and state agencies with jurisdiction over fish, shellfish, and wildlife resources, natural resource management plans, and state historic preservation officers, including any affected states (Indian tribes); *[and]*

(d) *Reserved;*

(e) *Reserved;*

(f) *Reserved;*

(g) *Reserved;*

(h) *Reserved;*

[(c)](i) Persons on a mailing list maintained by the facility which is developed by-

I. Including those who request to be on the list;

II. Soliciting persons for "area lists" from participants in past permit proceedings in that area;

III. Notifying the public of the opportunity to be put on the mailing list through periodic publication in the public press and in such publications as regional and state-funded newsletters, environmental bulletins, or state law journals. The facility shall be responsible for maintaining and updating the mailing list. The department may require the facility to update the mailing list from time[-] to [-]time by requesting written indication of continued interest from those listed. The facility may remove from the list the name of any person who fails to respond to such a request;

IV. Including all record owners of real property *[adjacent] adjoining* to the current or proposed facility, in accordance with section 260.395.8, RSMo;

V. Including, for a post-closure disposal facility, all record owners of real property which overlie any known plume of contamination originating from the facility; and

VI. Including, for an operating disposal facility, all record owners of real property located within one (1) mile of the outer boundaries of the current or proposed facility, in accordance with section 260.395.8, RSMo;

[(d)](j) A copy of the notice shall also be sent to the highest elected official of the county and the highest elected official of the city, town, or village having jurisdiction over the area where the facility is currently or proposed to be located, in accordance with section 260.395.8, RSMo, and each state



agency having any authority under state law with respect to the construction or operation of such facility; **[and]**

**[(e)](k)** A copy of the notice shall also be sent to any other department program or federal agency which the department knows has issued or is required to issue a Resource Conservation and Recovery Act (RCRA), Hazardous and Solid Waste Amendments (HSWA), Underground Injection Control (UIC), Prevention of Significant Deterioration (PSD), (or other permit issued under the Clean Air Act), National Pollutant Discharge Elimination System (NPDES), 404, or sludge management permit for the same facility or activity (including the U.S. Environmental Protection Agency); **and**

**(l) Reserved.**

**(II) Reserved.**

**[(II)](III)** Other publication.

(a) Publish a legal notice in **[a daily or weekly major local newspaper of general circulation] a newspaper of general circulation in the county or equivalent jurisdiction that hosts the proposed location of the facility** and broadcast over local radio **or television** station(s).

(b) For any draft permit that includes active land disposal of hazardous waste, issue a news release to the media serving the area where the facility is currently or proposed to be located, in accordance with section 260.395.8, RSMo.

**[(III)](IV)** Any other method reasonably calculated to give actual notice of the activity to the persons potentially affected by it, including news releases or any other forum or medium to elicit public participation. **The applicant may use another medium with prior approval of the department.**

**[(IV)](V)** The department will mail a copy of the legal notice, fact sheet, and draft permit to a location accessible to the public, in the vicinity of the facility, where the documents can be viewed and copied.

D. Contents.

**(I)** All notices issued under this paragraph shall contain the following minimum information:

**[(I)](a)** Name and address of the department;

**[(II)](b)** Name and address of the permittee or applicant and, if different, of the facility or activity regulated by the permit;

**[(III)](c)** A brief description of the business conducted at the facility or activity described in the permit application or the draft permit;

**[(IV)](d)** Name, address, and telephone number of a department contact person from whom interested persons may obtain additional information;

**[(V)](e)** A brief description of the comment procedures, the date, time, and place of any hearing that will be held, a statement of procedures for requesting a hearing (unless a hearing has already been scheduled), and any other procedures by which the public may participate in the final permit decision;

**(f) Reserved;**

**(g) Reserved;**

**(h) Reserved;**

**(i) Reserved;**

**[(VI)](j)** Any additional information considered necessary or proper by the department;

**[(VII)](k)** The location where the information listed in subpart **[(1)(A)10.C.(I)(e)] (1)(A)10.C.(I)(j)** of this rule was placed for public review; and

**[(VIII)](II)** In addition to the information listed above, the public notice of a public hearing under paragraph (1)(A)12. of this rule shall contain the following information:

(a) Reference to the date of previous public notices relating to the draft permit;

(b) Date, time, and place of the hearing; and

(c) A brief description of the nature and purpose of the hearing, including the applicable rules and procedures~~;~~;

**(d) Reserved.**

E. In addition to the notice described in subparagraph (1)(A)10.D. of this rule, the department shall mail a copy of the permit application (if any), draft permit, and fact sheet to all persons identified in subparts (1)(A)10.C.(I)(a), (b), and **[(f)](c)** of this rule.

11. Public comments and requests for public hearings. During the public comment period provided under paragraph (1)(A)10. of this rule, any interested person may submit written comments on the draft permit and may request a public hearing, if no hearing has already been scheduled. A request for a public hearing shall be in writing and state the nature of the issues to be raised in the hearing. All written comments and oral comments given at the public hearing, if one is held, are considered by the department in making the final permit decision and are answered as provided in paragraph (1)(A)17. of this rule.

12. Public hearings.

A. In accordance with section 260.395.8, RSMo, the department will hold a public hearing whenever a written request for a hearing is received within forty-five (45) days of the public notice under part (1)(A)10.B.(I) of this rule. In accordance with section 260.395.8, RSMo, for any permit that includes active land disposal of hazardous waste, the department shall hold a public hearing after public notice, as specified in paragraph (1)(A)10. of this rule, before issuing, modifying in total, or renewing the permit~~;~~, and before any Class 3 or department-initiated permit modification related to the hazardous waste land disposal unit(s), including those necessary due to the department's five- (5-) year review.

**[B.](I)** The department may hold a public hearing at its own discretion whenever there is significant public interest in a draft permit or when one (1) or more issues involved in the permit decision requires clarification.

**(II) Reserved.**

**(III) For RCRA permits only.**

**(a) Reserved.**

**[C.](b)** Whenever possible, the department will schedule a public hearing under this paragraph at a location convenient to the nearest population center to the current or proposed facility.

**[D.](IV)** Public notice of the public hearing will be given as specified in paragraph (1)(A)10. of this rule.

**B. Reserved.**

**[E.](C)** Any person may submit written comments or data concerning the draft permit. The department will accept oral comments during the public hearing. Reasonable limits may be set on the time allowed for oral comments. Any person who cannot present oral comments due to time limitations will be provided an opportunity to present written comments. The public comment period under paragraph (1)(A)10. of this rule will automatically be extended to the close of any public hearing if the public hearing is held later than forty-five (45) days after the start of the public comment period.

**[F.](D)** A **[tape]** recording or written transcript of the public hearing shall be made available to the public.

13. Obligation to raise issues and provide information during the public comment period. All persons, including the applicant, who believes any condition of a draft permit is inappropriate or that the department's tentative decision to deny a permit application, prepare a draft permit, or revoke a permit is inappropriate, shall raise all ascertainable issues and submit all relevant arguments supporting their position by the

close of the public comment period under paragraph (1)(A)10. of this rule. Any supporting materials that are submitted shall be included in full and may not be incorporated by reference, unless the supporting materials are state or federal statutes and regulations, EPA documents of general applicability, or other generally available reference materials.

14. *Reserved.*

15. Issuance and effective date of permit.

A. For purposes of this paragraph, a final permit decision means the issuance, denial, [C]class 3 or department-initiated modification, total modification, or revocation of a permit. After the close of the public comment period under paragraph (1)(A)10. of this rule, the department will issue a final permit decision (or a decision to deny a permit for the active life of a hazardous waste management facility or unit under 40 CFR 270.29, as incorporated in 10 CSR 25-7.270). The department will notify the applicant and each person who submitted written comments, gave oral comments at the public hearing, or requested notice of the final permit decision. This notice will include reference to the procedures for appealing a final permit decision under section (2) of this rule. The department will mail a copy of the final permit decision to the location where the draft permit was placed for public review under subpart (1)(A)10.C. [ (III) ] (IV) of this rule. The department will also send a news release announcing the final permit decision to the media serving the area where the facility is currently or proposed to be located.

B. A final permit issuance, denial, or modification decision (or a decision to deny a permit either in its entirety or as to the active life of a hazardous waste management facility or unit under 40 CFR 270.29, as incorporated in 10 CSR 25-7.270) will become effective on the date the decision is signed by the department. A final permit revocation decision will become effective thirty (30) days after the department signs the decision, unless no comments requested a change in the draft permit revocation decision, in which case the final permit revocation decision will become effective on the date the decision is signed by the department.

16. *Reserved.*

17. Response to comments.

A. At the same time that any final permit decision is issued under paragraph (1)(A)15. of this rule, the department will issue a response to comments. This response shall –

(I) Specify which provisions, if any, of the draft permit have been changed in the final permit decision and the reasons for the change; and

(II) Briefly describe and respond to all significant comments on the draft permit raised during the public comment period and public hearing, if one was held.

B. The response to comments will be made available to the public.

**C. *Reserved.***

18. *Reserved.*

19. *Reserved.*

20. Computation of time.

A. Any time period scheduled to begin on the occurrence of an act or event begins on the day after the act or event.

B. Any time period scheduled to end before the occurrence of an act or event ends on the last working day before the act or event.

C. If the last day of any time period falls on a weekend or legal holiday, the time period is extended to the next working day.

D. Whenever a party or interested person has the right or is required to act within a specific time period after he or she receives notice by mail, three (3) days is added to the time

period to allow for mail delivery.

**21. *Reserved.***

(B) This subsection sets forth requirements that correspond to the requirements in 40 CFR part 124 subpart B. **(Comment: This section has been organized so that Missouri requirements analogous to a particular lettered subpart in 40 CFR part 124 are set forth in the corresponding lettered subsection of section (1) of this rule. For example, the general program requirements in 40 CFR part 124 subpart B 124.31, with Missouri modifications, are found in paragraph (1)(B)1. of this rule.)**

1. *[Applicable permit procedures]* Pre-application public meeting and notice.

A. The requirements of this paragraph apply to all new permit applications and permit applications for renewal of permits where a *[significant]* substantial change in facility operations is proposed. For purposes of this paragraph, a “*[significant]* substantial change” is any change that would qualify as a class 3 permit modification under 40 CFR 270.42, as incorporated in 10 CSR 25-7.270. The requirements of this paragraph do not apply to class 1 or class 2 permit modifications, as defined in 40 CFR 270.42, as incorporated in 10 CSR 25-7.270, or permit applications submitted for the sole purpose of conducting post-closure activities or post-closure activities and corrective action at a facility.

**[B.] (I)** At least ninety (90) days prior to submitting a permit application to construct, substantially alter, or operate a hazardous waste disposal facility, the applicant shall submit to the department a letter of intent, in accordance with section 260.395.7, RSMo. The department will publish the letter within ten (10) days of receipt. The letter will be published as specified in section 493.050, RSMo. The letter will be published once a week for four (4) consecutive weeks in a newspaper of general circulation serving the county in which the facility is currently or proposed to be located.

**[C.] B.** Prior to submitting a permit application for a facility, the applicant shall hold at least one (1) public meeting to solicit questions from the community and inform the community of proposed hazardous waste management activities. The applicant shall post a sign-in sheet or otherwise provide an opportunity for attendees to voluntarily provide their names and addresses.

**[D.] C.** The applicant shall submit a summary of the meeting, the list of attendees and their addresses developed under subparagraph (1)(B)1.**[C.] B.** of this rule, and copies of any written comments or materials submitted at the meeting to the department as a part of the permit application, in accordance with 40 CFR 270.14(b), as incorporated in 10 CSR 25-7.270.

**[E.] D.** The applicant shall provide public notice of the pre-application meeting at least thirty (30) days prior to the meeting. The applicant shall maintain, and provide to the department as part of the permit application, documentation of the notice.

(I) The applicant shall provide public notice in all of the following forms:

(a) A newspaper advertisement. The applicant shall publish a notice as a display advertisement in a newspaper of general circulation serving the county or equivalent jurisdiction where the current or proposed facility is located. In addition, the applicant shall publish the notice in newspapers of general circulation serving adjacent counties or equivalent jurisdictions;

(b) A visible and accessible sign. The applicant shall post a notice on a clearly marked sign at or near the facility. If the applicant places the sign on the facility property, the sign

shall be large enough to be read from the nearest point where the public would pass by the site;

(c) A broadcast media announcement. The applicant shall broadcast a notice as a paid advertisement at least once on at least one (1) local radio station or television station. The applicant may employ another medium with the prior written approval of the department; and

(d) In addition to the department, the applicant shall send a copy of the newspaper advertisement to the units of state and local government described in subpart (1)(A)10.C.(1)(d)(i) of this rule.

(II) All notices under this subparagraph shall include:]—

(a) The date, time, and location of the meeting;

(b) A brief description of the purpose of the meeting;

(c) A brief description of the facility and proposed operations, including the address or a map (e.g., a sketched or copied street map) of the current or proposed facility location;

(d) A statement encouraging people to contact the facility at least seventy-two (72) hours before the meeting if they need special access to participate in the meeting; and

(e) The name, address, and telephone number of a contact person for the applicant.

2. Public notice requirements at the permit application stage.

A. Applicability. The requirements of this paragraph apply to all new permit applications for hazardous waste management units and permit applications for renewal of permits for such units under 40 CFR 270.51, as incorporated in 10 CSR 25-7.270. The requirements of this paragraph do not apply to permit modifications, as defined in 40 CFR 270.42, as incorporated in 10 CSR 25-7.270, or permit applications submitted for the sole purpose of conducting post-closure activities or post-closure activities and corrective action at a facility.

B. Notification at permit application submittal.

(I) The department shall provide public notice as set forth in subpart (1)(A)10.C.(1)(c)(i) of this rule, and notice to the appropriate units of state and local government as set forth in subpart (1)(A)10.C.(1)(d)(i) of this rule, that a complete permit application has been submitted to the department and is available for review.

(II) The notice will be published within a reasonable period of time after the department determines that the permit application is complete. The notice must include:]—

(a) The name and telephone number of the applicant's contact person;

(b) The name and telephone number of the department contact person and a mailing address to which information and inquiries may be directed throughout the permitting process;

(c) An address to which people can write in order to be put on the facility mailing list;

(d) A location where copies of the permit application and any supporting documents can be viewed and copied;

(e) A brief description of the facility and proposed operations, including the address or a map (e.g., a sketched or copied street map) of the current or proposed facility location on the front page of the notice; and

(f) The date that the permit application was submitted.

C. Concurrent with the notice under subparagraph (1)(B)2.B. of this rule, the department will place the permit application and any supporting documents in a location accessible to the public in the vicinity of the facility or at the

department's office as identified in the notice.

3. Information repository.

A. Applicability. The requirements of this paragraph apply to all applicants seeking hazardous waste management facility permits.

B. The department shall assess the need, on a case-by-case basis, for a local information repository. When assessing the need for a local information repository, the department will consider a variety of factors, including the level of public interest, the type of facility, and the presence of an existing repository. If the department determines, at any time after submittal of a permit application, that there is a need for a local repository, then the department will notify the facility that it must establish and maintain a local information repository.

C. The information repository shall contain all documents, reports, data, and information deemed necessary by the department to fulfill the purposes for which the repository is established. The department will have the discretion to limit the contents of the repository.

D. The information repository shall be located and maintained at a location chosen by the facility. If the department finds the location unsuitable for the purposes and persons for which it was established, due to problems with the location, hours of availability, access, or other relevant considerations, the department will specify a more appropriate location.

E. The department will specify requirements the applicant must meet for informing the public about the local information repository. At a minimum, the department will require the applicant to provide a written notice about the information repository to all individuals on the facility mailing list.

F. The applicant shall be responsible for maintaining and updating the repository with appropriate information throughout the time period specified by the department. The department may close the repository at its discretion, based on the factors in subparagraph (1)(B)3.B. of this rule.

**(C) Specific Procedures Applicable to PSD Permits. Reserved.**

**(D) Specific Procedures Applicable to NPDES Permits. Reserved.**

**(E) Reserved.**

**(F) Reserved.**

**(G) Procedures for RCRA Standardized Permit. Reserved.**

(2) Appeal of Final Decision.

(B) The applicant or any aggrieved person may appeal to have the matter heard by the Administrative Hearing Commission. To initiate the appeal, the aggrieved party must follow the procedure established in [10 CSR 25-2.020 and] sections 260.395.11 and 621.250, RSMo. Written petitions must be filed within thirty (30) days after the date the final permit decision or approval was mailed or the date it was delivered, whichever was earlier. If the written petition is sent by registered or certified mail, the petition will be deemed filed on the date it was mailed. If the written petition is sent by any other method, the petition will be deemed filed on the date it is received by the Administrative Hearing Commission. The written petition describes the grounds for the appeal and the appeal is limited to issues raised during the public comment period and not resolved in the final permit decision or approval to the applicant's or aggrieved person's satisfaction. Issues included in the written petition outside those raised during the public comment period are not considered; however, the Administrative Hearing Commission may consider an appeal



of a condition in the final permit decision or approval that was not part of the draft permit or proposal and therefore could not have been commented on during the public comment period.

(3) Transporter License.

(A) Issuance or Denial of a Transporter License.

1. Upon receipt of a complete application for a transporter license, the department will determine whether the application conforms to the requirements of sections 260.385 and 260.395, RSMo, and 10 CSR 25-6.263. The department will notify the applicant of its decision to issue, with or without conditions, or deny~~[ing]~~ the license. If the license is denied, the department will specify the reasons for the denial. No license will be issued until the fees specified in section 260.395.1, RSMo, have been paid.

2. The procedure for appealing a license issuance, denial, or any condition of a license is the same as the procedure for appealing a final permit decision under section (2) of this rule.

(B) Revocation of a Transporter License.

1. Transporter licenses may be revoked for the reasons specified in sections ~~[260.379.2,]~~ 260.395.3, 260.410.3, and 260.410.4, RSMo, or for failure to comply with sections 260.395.1(2) and 260.395.1(3), RSMo.

2. The department may initiate proceedings to revoke a transporter license. If the department proposes to revoke a transporter license, it will send a notice of intent to revoke by certified mail to the licensee, specifying the provisions of sections 260.350–~~[260.434]~~ **260.433**, RSMo, 10 CSR 25-6.263, the conditions of the license or the provisions of an order issued to the licensee that the licensee has violated, the manner in which the licensee misrepresented or failed to fully disclose relevant facts, or the manner in which the activities of the licensee endanger human health or the environment or are creating a public nuisance.

3. The procedure for appealing a license revocation is the same as the procedure for appealing a permit revocation under section (2) of this rule. A timely written petition for appeal stays the effectiveness of a license revocation. If a timely written petition for appeal is not filed, the revocation is effective thirty (30) days after the department signs the revocation decision.

(4) Variances.

(A) Applicability. According to section 260.405.1, RSMo, unless prohibited by any federal hazardous waste management act, the Hazardous Waste Management Commission may grant individual variances from the requirements of sections 260.350 to 260.43~~[0]3~~, RSMo, whenever it is found, upon presentation of adequate proof, that compliance will result in an arbitrary and unreasonable taking of property or in the practical closing and elimination of any lawful business, occupation, or activity, in either case without sufficient corresponding benefit or advantage to the people. The commission will not consider any petition for variance that would permit the occurrence or continuance of a condition that unreasonably poses a present or potential threat to the health of humans or other living organisms. The department may require any petitioner for a variance to submit mailing lists and mailing labels to accomplish the public notice requirements of this section.

(B) Evaluation. Upon receipt of any petition for a variance, the department will evaluate the petition to determine whether the request is substantive or non-substantive based upon the effect of the proposed variance on facility operations, types of waste, type and volume of hazardous waste management

units, location of facility, public interest, and compliance history. Variances from generator or transporter requirements will be deemed non-substantive provided all conditions of ~~[sub]section (3)[(A)]~~ of this rule are met.

(C) Substantive Variance. If a variance petition is deemed substantive, the department will –

1. Upon receipt –

A. Mail a notice to all record owners of real property located within one (1) mile of the outer boundaries of the facility, the highest elected official of the county, and the highest elected official of the city, town, or village having jurisdiction over the area where the facility is located; and

B. Issue a news release to the media and publish a legal notice in a newspaper of general circulation serving the area where the facility is located;

2. Within sixty (60) days of receipt –

A. Prepare a recommendation as to whether the variance should be granted, granted with conditions, or denied;

B. Submit the recommendation to the Missouri Hazardous Waste Management Commission;

C. Notify the petitioner of the recommendation;

D. Publish a legal notice regarding the recommendation in a newspaper of general circulation serving the area where the facility is located; and

E. Mail a notice regarding the recommendation to all record owners of real property ~~[adjacent]~~ **adjoining** to the facility, the highest elected official of the county, and the highest elected official of the city, town, or village having jurisdiction over the area where the facility is located; and

3. Request a formal hearing before the Missouri Hazardous Waste Management Commission or a duly appointed hearing officer on the variance petition and the department's recommendation, as provided in section 260.400, RSMo.

(D) Non-Substantive Variance. If a variance petition is deemed non-substantive, the department will comply with paragraph ~~[(5)](4)~~(C)2. of this rule. The Missouri Hazardous Waste Management Commission will hold a formal hearing as provided in section 260.400, RSMo, if requested by the petitioner. A request for a formal hearing may also be made by any aggrieved person if the department's recommendation is to grant the variance with or without conditions. Any request by the petitioner or aggrieved person for a formal hearing shall be made in writing within thirty (30) days of the date the legal notice regarding the recommendation is published.

(F) Hearing Procedures. Any hearings under this section are a contested case pursuant to section 260.400 and Chapter 536, RSMo. The participants are the department, the petitioner, any aggrieved person who requests a formal hearing, and any person who files a timely application for intervention and is granted leave to intervene. Any person desiring to intervene shall file an application to intervene with the Missouri Hazardous Waste Management Commission secretary within thirty (30) days from the date the legal notice regarding the recommendation is published.

1. The application to intervene shall state the interests of the intervenor, the grounds upon which intervention is sought, and a statement of the position that the intervenor desires to take in the proceeding. The intervenor shall serve a copy of the application to intervene on each of the parties listed in subsection ~~[(5)](4)~~(F) of this rule.

2. The Missouri Hazardous Waste Management Commission or duly appointed hearing officer will grant or deny the application to intervene pursuant to Rule 52.12, Supreme Court Rules of Civil Procedure. The Missouri Hazardous Waste Management Commission or hearing officer may condition any grant of intervention as the circumstances

may warrant.

*AUTHORITY:* sections 260.370, 260.400, and 260.405, [and 260.437,] RSMo 2016, and section 260.437, RSMo Supp. 2024. Original rule filed June 1, 1998, effective Jan. 30, 1999. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Nov. 26, 2024.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Natural Resources, PO Box 176, Jefferson City, MO 65102-0176. To be considered, comments must be received by March 27, 2025. A public hearing is scheduled for 10 a.m., March 20, 2025, at Bennett Springs Conference Room, 1730 East Elm St., Jefferson City, MO 65101.

**TITLE 10 – DEPARTMENT OF NATURAL RESOURCES**  
**Division 25 – Hazardous Waste Management**  
**Commission**  
**Chapter 13 – Polychlorinated Biphenyls**

**PROPOSED RESCISSION**

**10 CSR 25-13.010 Polychlorinated Biphenyls.** This rule established standards for the management of waste materials or waste manufactured items containing polychlorinated biphenyls at concentrations of fifty parts per million (50 ppm) or more.

*PURPOSE:* This rule is no longer in use or necessary. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Solid Waste Management Program at the address listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Regulatory Action Tracking System, <https://apps5.mo.gov/proposed-rules/welcome.action#OPEN>.

*AUTHORITY:* sections 260.370, 260.395, and 260.396, RSMo 2016. Original rule filed Aug. 14, 1986, effective Jan. 1, 1987. For intervening history, please consult the *Code of State Regulations*. Rescinded: Filed Nov. 25, 2024.

*PUBLIC COST:* This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Department of Natural Resources, PO Box 176, Jefferson City, MO 65102-0176. To be considered, comments must be received by March 27, 2025. A public hearing is scheduled for 10 a.m., March

20, 2025, at Bennett Springs Conference Room, 1730 East Elm St., Jefferson City, MO 65101.

**TITLE 13 – DEPARTMENT OF SOCIAL SERVICES**  
**Division 35 – Children's Division**  
**Chapter 71 – Rules for Residential Care Facilities for Children**

**PROPOSED AMENDMENT**

**13 CSR 35-71.015 Background Checks for Personnel of Residential Care Facilities and Child Placing Agencies.** The division is amending section (12).

*PURPOSE:* This amendment provides an administrative review process for Children's Division to make preliminary and provisional eligibility determinations for applicants to commence employment at Licensed Residential Care Facilities (LRCFs), License-Exempt Residential Care Facilities (LERCFs), and Child Placing Agencies (CPAs) while the division completes the background check required by section 210.493, RSMo.

(12) Administrative Review and Appeal Procedure.

(A) The decision of the division shall be final unless the applicant or person who is aggrieved by a decision of the division under this regulation files a request for administrative [appeal] review of the decision within fourteen (14) days of the mailing of the decision. Any request for administrative [appeal] review that the division receives after the deadline is untimely and will not be subject to further administrative review or appeal.

(B) Administrative Review.

1. A request for administrative review shall be made in writing, either on a form provided by the division or by letter. The division will publish a form on its website. The request for administrative review shall –

A. Include the name, address, telephone number, and email address of the person requesting administrative review;

B. State whether the division should provide the response and notice of final decision by first-class mail or by email;

C. Identify the decision the requestor wishes to be reviewed, the specific reasons the requestor believes the division's decision is erroneous, and why the requestor is aggrieved by the decision;

D. Include copies of any relevant documents, materials, or information that the requestor wishes to submit in support of the administrative review request; and

E. State whether the person requests that the review be considered on the basis of the materials submitted or whether the person requests a conference. If the person requests a review conference, then the person shall also provide dates and times within the next thirty (30) days when the person may be available and the reasons why the administrative review cannot be processed on the basis of the materials presented.

2. The request for administrative review shall be submitted to the division by certified first-class mail through the United States Postal Service return receipt requested to the address specified on the notice of ineligibility or submitted electronically by email to the division to the email address specified in the notice of

ineligibility.

3. The administrative review shall be conducted and decided based upon the written materials submitted to the division and any information and materials presented at a review conference. The division will provide a review conference upon written request.

4. The review conference may take place by telephone conference call, video conference, or in-person meeting.

5. The administrative review process shall be informal. The rules of evidence shall not apply. There is no right to conduct discovery. There shall be no right to compel the production of witnesses or evidence by subpoena or otherwise.

6. The administrative review shall be conducted by an individual designated by the director of the department or the division, who may be an employee of the division or the department. However, the individual shall not have been involved in making the decision which is subject to review.

7. The individual conducting the administrative review shall conduct the administrative review and render a written decision no later than thirty (30) days from the date that the division received the request for administrative review.

8. The decision upon administrative review shall be the final decision of the department as to any person that is not an applicant.

[(B)](C) Appeal.

1. Any applicant who is aggrieved by a decision *[finding the applicant ineligible]* upon administrative review shall have the right to appeal the decision to the Administrative Hearings Unit of the Division of Legal Services of the Department of Social Services. The applicant shall submit a notice of appeal to the division, within fourteen (14) days of the date of the *[notice of ineligibility]* administrative review decision, by certified first-class mail through the United States Postal Service return receipt requested to the address specified on the notice of ineligibility or submitted electronically by email to the division to the email address specified in the notice of *[ineligibility]* decision upon administrative review. The division must receive the notice of appeal within fourteen (14) days of the date of the decision. Any notice of appeal that is received after the deadline is untimely and the appeal will be dismissed. **Completion of the administrative review process is a condition precedent to the applicant's right to appeal.**

2. The parties to the appeal shall be the division and the applicant.

3. All appeals shall be processed and decided by a hearing officer from the Administrative Hearings Unit of the Division of Legal Services of the Department of Social Services. The decision of the hearing officer shall be the final decision of the department.

4. The following evidence shall be admitted and considered by the hearing officer on appeal as provided in this section without further foundation:

A. A copy of the application form and all supporting documentation;

B. A copy of the record of the court establishing that the applicant pled guilty or *nolo contendere* or has been found guilty of a crime or offense listed in section 210.493, RSMo;

C. A copy of a letter or official communication from the applicable state, county, or local government agency stating that the applicant is listed as a perpetrator of child abuse or neglect in the state, county, or local government agency's registry or database of perpetrators of child abuse or neglect;

D. A copy of the report of the fingerprint-based

background check conducted pursuant to section (3) of this regulation; and

E. A copy of a letter, official communication, or a print out of the applicable page of the National Sex Offender Registry or state sex offender registry.

5. The applicant or division may object to the hearing officer considering the information outlined in this regulation. The burden shall be on the objecting party to establish that the items of evidence shall not be considered by the hearing officer.

6. The hearings held under this section shall be informal, but they shall be held on the record and testimony will be adduced under oath. The rules of evidence do not apply. The applicant may be represented by an attorney.

7. Upon written request the division will provide the applicant with a copy of the fingerprint-based state and FBI background check.

8. The hearing shall not be an opportunity to collaterally attack or relitigate the validity of the underlying plea of guilt, plea of *nolo contendere*, or the underlying finding of child abuse, neglect, or maltreatment by the applicable state or local agency, or the accuracy of information in the federal, state, or local registry or repository.

9. The hearing shall be based upon the written submissions of the parties unless the applicant or the division requests a hearing by video or teleconference. The hearing officer may hold an in-person hearing only upon a showing that an in-person hearing is necessary to accommodate a special need of an applicant or the division.

10. The hearing officer shall issue a decision in writing, which will be sent by first-class mail (or by email at the election of the applicant) to the applicant at the applicant's address of record. If the applicant is represented by an attorney, the decision will be sent to the applicant's attorney. The written decision of the hearing officer shall be the final decision of the department.

[(C)](D) Judicial Review.

1. Any applicant aggrieved by the final decision of the department after appeal may seek judicial review as provided in section 536.150, RSMo.

2. Any person who is not an applicant who is aggrieved by the final decision of the department after administrative review may seek judicial review as provided in section 536.150, RSMo.

**AUTHORITY:** sections 207.020 and 660.017, RSMo 2016, and sections 210.493 and 210.1286, RSMo Supp. 2024. Emergency rule filed Sept. 17, 2021, effective Oct. 1, 2021, expired March 29, 2022. Original rule filed Sept. 17, 2021, effective March 30, 2022. For intervening history, please consult the **Code of State Regulations**. Emergency amendment filed Oct. 24, 2024, effective Nov. 7, 2024, expires May 5, 2025. Amended: Filed Nov. 21, 2024.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this



notice in the *Missouri Register*. No public hearing is scheduled.

**TITLE 13 – DEPARTMENT OF SOCIAL SERVICES  
Division 70 – MO HealthNet Division  
Chapter 20 – Pharmacy Program**

**PROPOSED AMENDMENT**

**13 CSR 70-20.075 340B Drug Pricing Program.** The division is amending sections (1)–(5) and adding section (6).

*PURPOSE:* This amendment simplifies and clarifies the language of the current rule and establishes a carve-out list of medications that are not reimbursable if purchased through the 340B program.

(1) **[340B-c]**Covered entities that choose to carve-in Medicaid must provide the Health Resources and Services Administration (HRSA) with their National Provider Identification (NPI) and their MO HealthNet Division (MHD) provider number for each site that carves-in for inclusion in the HRSA Medicaid Exclusion File. *[The]* MHD requires the *[MO HealthNet]* MHD provider number to be included on the Medicaid Exclusion File to identify providers that carve-in Medicaid and to prevent duplicate discounts. A duplicate discount is defined as a covered entity receiving a discounted drug through the 340B program from the manufacturer, and MHD receives a rebate through the Medicaid Drug Rebate Program from the manufacturer for the same claim. Covered entity is defined in section 376.414.1(2), RSMo.

(2) **[340B-c]**Covered entities *[are required to]* must identify 340B-purchased drugs *[at the claims level using the following codes:]* using the Submission Clarification Code or modifier code on each claim that was 340B-purchased.

*[(A) Point-of-sale pharmacy claims: Submission Clarification Code (SCC) 20; and*

*(B) Medical and outpatient claims: Modifier JG or TB.]*

(3) Failure to include the appropriate *[submission clarification code or modifier]* identifier on a 340B-purchased drug will result in *[the]* MHD collecting a rebate on the claim *[and]*, resulting in a potential duplicate discount. A duplicate discount may subject the covered entity to audit penalties. *[The]* MHD will deny claims identified as 340B-purchased drugs at the claim level from providers who *[submit an SCC of 20 or 340B modifier but have not notified]* have yet to notify HRSA of carve-in status.

(4) *[Effective July 1, 2021, r]*Reimbursement for 340B-identified covered drugs for 340B providers as defined *[by 42 U.S.C. 256b(a)(4) and 42 U.S.C. 1396r-8(a)(5)(B)]* in section 376.414.1(2), RSMo, who carve-in for Medicaid will be determined by applying the following method:

(A) MHD will reimburse 340B-purchased drugs dispensed by pharmacy providers *[will be reimbursed]* at their actual acquisition cost, up to the 340B Maximum Allowable Cost (340B MAC) (calculated ceiling price) plus a professional dispensing fee. Covered entities *[are required to]* must bill no more than their actual acquisition cost plus the professional dispensing fee.

1. *[The]* MHD defines the 340B MAC (calculated ceiling price) *[is defined]* as the Average Manufacturer Price (AMP) minus Unit Rebate Agreement (URA) as reported by the Centers for Medicare & Medicaid (CMS) quarterly.

2. *[Actual]* MHD defines actual acquisition cost *[is defined]* as the invoice cost for the *[NDC]* National Drug Code (NDC) per billing unit. This does not include timely pay discounts or discounts paid as a rebate on a separate invoice for volume-based purchases; *and]*.

3. MHD calculates the professional dispensing fee according to 13 CSR 70-20.060; and

(B) MHD will reimburse *[P]*physician-administered drugs purchased through the 340B program *[will be reimbursed]* at the lesser of the *[p]*Physician-*[a]*Administered 340B MAC or the actual acquisition cost submitted by the provider. *[A]* MHD does not apply a professional dispensing fee *[is not applied]* to physician-administered drugs.

1. *[The Physician-Administered 340B MAC is calculated by adding six percent (6%), up to six hundred dollars (\$600), to the calculated ceiling price]* MHD adds six percent (6%), up to six hundred dollars (\$600), to the 340B MAC to calculate the physician-administered 340B MAC.

(5) *[340B contract pharmacies are not covered under this policy and must carve-out Medicaid from their 340B operation unless MHD approves an exception]* MHD does not allow 340B contract pharmacies to carve-in under this policy.

(6) MHD may carve-out certain medications and categories of medications from 340B participation for MHD reimbursement. Medications subject to the carve-out will be reimbursed according to 13 CSR 70-20.070. The following medications and categories of medications are carved-out of reimbursement through the 340B program:

(A) Drugs approved by the FDA for the treatment of obesity; and

(B) Cell and gene therapies.

*AUTHORITY:* sections *[208.153,]* 208.201*[,]* and 660.017, RSMo 2016, and section 208.153, RSMo Supp. 2024. Emergency rule filed April 26, 2021, effective July 1, 2021, expired Feb. 24, 2022. Original rule filed April 26, 2021, effective Nov. 30, 2021. Emergency amendment filed Nov. 21, 2024, effective Dec. 9, 2024, expires June 6, 2025. Amended: Filed Nov. 21, 2024.

*PUBLIC COST:* This proposed amendment will cost state agencies or political subdivisions \$2,096,159 in the aggregate.

*PRIVATE COST:* This proposed amendment will cost private entities \$9,549,169 in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to [Rules.Comment@dss.mo.gov](mailto:Rules.Comment@dss.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.



**FISCAL NOTE  
PUBLIC COST**

- I. Please include clear instructions regarding what information to include in this field:

**Department Title:** Title 13 - Department of Social Services**Division Title:** Division 70 - MO HealthNet Division**Chapter Title:** Chapter 20 – Pharmacy Programs

<b>Rule Number and Name:</b>	13 CSR 70-20.075 340B Drug Pricing Program
<b>Type of Rulemaking:</b>	Proposed Amendment

## II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Department of Social Services MO HealthNet Division	Estimated Ongoing Annual Cost to Public Covered Entities = \$2,096,159 Estimated Ongoing Annual Savings to MHD: \$8,505,486

## III. WORKSHEET

**Cell and Gene Therapy Worksheet MHD Costs/Savings:**

Number of cell and gene therapy claims billed to the MO HealthNet Division (MHD) during SFY24	101
Number of 340B purchased cell and gene therapy claims billed to MHD by Covered Entities during SFY24	3
The amount reimbursed for 340B purchased cell and gene therapy claims billed to MHD by Covered Entities during SFY24 (proxy for CE's actual acquisition cost)	\$5,985,015
The amount that MHD would reimburse for the same claims had they not been purchased through the 340B program (proxy for CE's actual acquisition cost if not purchased through 340B program):	\$7,708,824
The difference in actual acquisition cost for cell and gene therapy when utilizing non-340B stock compared to 340B stock	\$1,723,809
The increased rebate revenue based on a weighted average of supplemental rebates (32.2% of ingredient cost):	\$2,482,241
The increased rebate revenue based on the average of federal rebates (based on the difference between 340B and non-340B reimbursement for the 3 claims):	\$1,723,809

**Anti-Obesity Worksheet MHD Costs/Savings:**

Updated 01/31/2021

Anticipated Prescriptions for an Anti-obesity Agent for 1 year	170,000
Average cost of claim for Anti-Obesity Agent	\$1,041.00
Average Supplemental Rebate Percentage (Based on weighted average of current supplemental rebate contracts for all drugs)	32.20%
Anticipated Percentage of Anti-Obesity Agents filled at 340B Covered Entities using 340B stock	10.57%
Additional Supplemental Rebate Captured by not allowing 340B Covered Entities to use 340B stock for MHD Participants	\$6,023,245
Additional Federal Rebate Captured by not allowing 340B Covered Entities to use 340B stock for MHD Participants (53.04%)	\$9,921,519

**Cell and Gene Therapy Worksheet Public and State-Owned Covered Entities:**

Number of cell and gene therapy claims billed to the MO HealthNet Division (MHD) during SFY24	101
Number of 340B purchased cell and gene therapy claims billed to MHD by Covered Entities during SFY24	3
The amount reimbursed for 340B purchased cell and gene therapy claims billed to MHD by Covered Entities during SFY24 (proxy for CE's actual acquisition cost)	\$5,985,015
The amount that would have been reimbursed for the same claims had they not been purchased through the 340B program (proxy for CE's actual acquisition cost if not purchased through 340B program)	\$7,708,824
The difference in actual acquisition cost for cell and gene therapy when utilizing non-340B stock compared to 340B stock	\$1,723,809

**Anti-Obesity Worksheet Public and State-Owned Covered Entities:**

Anticipated Prescriptions for an Anti-obesity Agent for 1 year	170,000
Average cost of claim for Anti-Obesity Agent	\$1,041
Average Federal Rebate Percentage for all MHD Drug Claims	53.04%
Anticipated Percentage of Anti-Obesity Agents filled at 340B Covered Entities using 340B stock	10.57%
Increased purchase price of anti-obesity agents when utilizing non-340B compared to 340B (amount to be offset by increased MO HealthNet reimbursement)	\$9,921,519

**MHD Costs/Savings**

Updated 01/31/2021

<b>Change</b>	<b>Estimated Cost</b>
<b>Cell and Gene Therapy</b>	<b>\$2,482,241</b>
<b>Anti-obesity</b>	<b>\$6,023,245</b>
<b>Total</b>	<b>\$8,505,486</b>

**Public and State-Owned Covered Entities:**

<b>Change</b>	<b>Estimated Cost</b>
Cell and Gene Therapy	\$1,723,809
Anti-obesity	\$9,921,519
Total	\$11,645,328
Percentage of claims attributable to Public Covered Entities	18%
Total Estimated Cost for Public Entities	\$2,096,159

**IV. ASSUMPTIONS****Assumptions for both Cell and Gene Therapy and Anti-Obesity estimates**

- The estimated increase in annual expenditures by Covered Entities will be offset by an equal increase in claims payment by MHD, resulting in no net change in profit for the Covered Entity. Savings to the state are realized through increased rebate revenue, which more than offset the increased reimbursement to the Covered Entities.
- Covered Entities bill MHD for 340B-purchased, non-physician-administered medications at the actual acquisition cost.
- Covered Entities have established processes for purchasing 340B and non-340B medications and billing MHD with the appropriate claim level identifier.
  - During SFY24, Covered Entities utilized non-340B stock for MHD participants 23.72% of the time based on paid claims history.
- MHD reimburses providers based on actual acquisition cost reimbursement methodology. If a Covered Entity purchases a medication outside of the 340B program, MHD will reimburse at the higher, non-340B rate, resulting in a higher expenditure by the Covered Entity and with a higher reimbursement by MHD.
- The supplemental rebate that the state would forgo for each 340B claim:
  - Based on the confidential and proprietary nature of the supplemental rebate amounts, MHD utilized the overall weighted average of supplemental rebates for drugs from supplemental rebate agreements in place for April 1, 2024 – June 30, 2024, and actual utilization during the quarter, 32.2% of the total cost per claim.
- To calculate the anticipated impact to public facilities, MHD utilized percentage of 340B claims during SFY24 that were billed to MO HealthNet from public Covered Entities (18%)

**Cell and Gene Therapy assumptions**

- Covered Entities are purchasing cell and gene therapies at the ceiling price when purchased through the 340B program.
- Estimates are based on SFY2024 MHD paid claims data and pricing on the date of service.

Updated 01/31/2021

**Anti-Obesity assumptions**

MHD does not currently cover drugs approved by the FDA for anti-obesity. MHD utilized the overall average federal rebate percentage to estimate the ceiling price paid by Covered Entities for anti-obesity agents. The federal rebate amounts are confidential and proprietary pursuant to Section 1927 of the Social Security Act (42 U.S.C. § 1396r-8). MHD calculated an anticipated fiscal impact based on the following:

- The estimated number of participants who would qualify for anti-obesity treatment.
- The current utilization of drugs with the same mechanism of action as the anti-obesity treatments.
- The anticipated percentage of participants who would seek treatment, based on a review of other State Medicaid Programs, discussions with MHD providers, and market analysis.
- The percentage of the participants who would receive the anti-obesity drug through a Covered Entity with 340B stock based on the percentage of overall MHD pharmacy claims that are billed as 340B stock by covered entities (10.57% during April 1, 2024 – June 30, 2024).
- Federal rebate to calculate the ceiling price for each 340B claim.
  - Based on the confidential and propriety nature of the federal rebate amounts, MHD utilized the overall average of federal rebates for drugs in place from April 1, 2024, to June 30, 2024, and actual utilization during the quarter, 53.04% of the total cost per claim.

**FISCAL NOTE  
PRIVATE COST****I.**

**Department Title:** Title 13 - Department of Social Services  
**Division Title:** Division 70 - MO HealthNet Division  
**Chapter Title:** Chapter 20 – Pharmacy Programs

<b>Rule Number and Title:</b>	13 CSR 70-20.075 340B Drug Pricing Program
<b>Type of Rulemaking:</b>	Proposed Amendment

**II. SUMMARY OF FISCAL IMPACT**

<b>Estimate of the number of entities by class which would likely be affected by the adoption of the rule:</b>	<b>Classification by types of the business entities which would likely be affected:</b>	<b>Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:</b>
449	Covered Entities billing claims for 340B purchased medications	Annual estimated cost: \$9,549,169

**III. WORKSHEET****Cell and Gene Therapy Worksheet:**

Number of cell and gene therapy claims billed to the MO HealthNet Division (MHD) during SFY24	101
Number of 340B purchased cell and gene therapy claims billed to MHD by Covered Entities during SFY24	3
The amount reimbursed for 340B purchased cell and gene therapy claims billed to MHD by Covered Entities during SFY24 (proxy for CE's actual acquisition cost)	\$5,985,015
The amount that would have been reimbursed for the same claims had they not been purchased through the 340B program (proxy for CE's actual acquisition cost if not purchased through 340B program)	\$7,708,824
The difference in actual acquisition cost for cell and gene therapy when utilizing non-340B stock compared to 340B stock	\$1,723,809

**Anti-Obesity Worksheet:**

Anticipated Prescriptions for an Anti-obesity Agent for 1 year	170,000
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Average cost of claim for Anti-Obesity Agent	\$1,041
Average Federal Rebate Percentage for all MHD Drug Claims	53.04%
Anticipated Percentage of Anti-Obesity Agents filled at 340B Covered Entities using 340B stock	10.57%
Increased purchase price of anti-obesity agents when utilizing non-340B compared to 340B (amount to be offset by increased MO HealthNet reimbursement)	\$9,921,519

Change	Estimated Cost
Cell and Gene Therapy	\$1,723,809
Anti-obesity	\$9,921,519
Total	\$11,645,328
Percentage of claims attributable to Private Covered Entities	82%
Total Estimated Cost for Private Entities	\$9,549,169

#### IV. ASSUMPTIONS

##### Assumptions for both Cell and Gene Therapy and Anti-Obesity estimates

- The estimated increase in annual expenditures by Covered Entities will be offset by an equal increase in claims payment by MHD, resulting in no net change in profit for the Covered Entity. Savings to the state are realized through increased rebate revenue, which more than offsets the increased reimbursement to the Covered Entities.
- Covered Entities bill MO HealthNet for 340B-purchased, non-physician-administered medications at the actual acquisition cost.
- Covered Entities have established processes for purchasing 340B and non-340B medications and billing MHD with the appropriate claim level identifier.
  - During SFY24, Covered Entities utilized non-340B stock for MO HealthNet participants 23.72% of the time based on paid claims history.
- MHD reimburses providers based on actual acquisition cost reimbursement methodology. If a Covered Entity purchases a medication outside of the 340B program, MHD will reimburse at the higher, non-340B rate, resulting in a higher expenditure by the Covered Entity and a higher reimbursement by MHD.
- To calculate the anticipated impact to private facilities, MHD utilized percentage of 340B claims during SFY24 that were billed to MO HealthNet from private Covered Entities (82%)

##### Cell and Gene Therapy assumptions

- Covered Entities are purchasing cell and gene therapies at the ceiling price when purchasing through the 340B program.
- Estimates are based on SFY2024 MO HealthNet paid claims data.

**Anti-Obesity assumptions**

MO HealthNet (MHD) does not currently cover drugs approved by the FDA for anti-obesity. MHD utilized the overall average federal rebate percentage to estimate the ceiling price paid by Covered Entities for anti-obesity agents. The federal rebate amounts are confidential and proprietary pursuant to Section 1927 of the Social Security Act (42 U.S.C. § 1396r-8).

MHD calculated an anticipated fiscal impact based on the following:

- The estimated number of participants who would qualify for anti-obesity treatment.
- The current utilization of drugs with the same mechanism of action as the anti-obesity treatments.
- The anticipated percentage of participants who would seek treatment, based on a review of other State Medicaid Programs, discussions with MHD providers, and market analysis.
- The percentage of the participants who would receive the anti-obesity drug through a Covered Entity with 340B stock based on the percentage of overall MHD pharmacy claims that are billed as 340B stock by covered entities (10.57% during April 1, 2024 – June 30, 2024).
- Federal rebate to calculate the ceiling price for each 340B claim.
  - Based on the confidential and proprietary nature of the federal rebate amounts, MHD utilized the overall average of federal rebates for drugs in place from April 1, 2024, to June 30, 2024, and actual utilization during the quarter, 53.04% of the total cost per claim.



**T**his section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order or rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted that has been changed from the text contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

**T**he agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments that are opposed in whole or in part to the proposed rule. The ninety-(90-) day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**TITLE 10 – DEPARTMENT OF NATURAL RESOURCES**  
**Division 10 – Air Conservation Commission**  
**Chapter 6 – Air Quality Standards, Definitions,**  
**Sampling and Reference Methods and Air Pollution**  
**Control Regulations for the Entire State of Missouri**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo Supp. 2024, the commission amends a rule as follows:

**10 CSR 10-6.060 Construction Permits Required is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 2024 (49 MoReg 1054-1066). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Department of Natural Resources' Air Pollution Control Program received one (1) comment from the Regulatory Environmental Group for Missouri (REGFORM).

COMMENT #1: REGFORM expressed support for the fee proposal and thanked the department's Air Pollution Control Program staff for their responsiveness to stakeholder comments and suggestions in developing an equitable permit fee system. The commenter also acknowledged the new fees do

not meet the full request or needs of the air program, and that REGFORM is committed to finding a path forward with the air program that leads to long-term financial stability.  
RESPONSE: The program appreciates the positive feedback.

**TITLE 10 – DEPARTMENT OF NATURAL RESOURCES**  
**Division 10 – Air Conservation Commission**  
**Chapter 6 – Air Quality Standards, Definitions,**  
**Sampling and Reference Methods and Air Pollution**  
**Control Regulations for the Entire State of Missouri**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo Supp. 2024, the commission amends a rule as follows:

**10 CSR 10-6.065 Operating Permits is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 2024 (49 MoReg 1067-1081). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Department of Natural Resources' Air Pollution Control Program received one (1) comment from the Regulatory Environmental Group for Missouri (REGFORM).

COMMENT #1: REGFORM expressed support for the fee proposal and thanked the department's Air Pollution Control Program staff for their responsiveness to stakeholder comments and suggestions in developing an equitable permit fee system. The commenter also acknowledged the updated fees do not meet the full request or needs of the air program, and that REGFORM is committed to finding a path forward with the air program that leads to long-term financial stability.  
RESPONSE: The program appreciates the positive feedback.

**TITLE 10 – DEPARTMENT OF NATURAL RESOURCES**  
**Division 10 – Air Conservation Commission**  
**Chapter 6 – Air Quality Standards, Definitions,**  
**Sampling and Reference Methods and Air Pollution**  
**Control Regulations for the Entire State of Missouri**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo Supp. 2024, the commission amends a rule as follows:

**10 CSR 10-6.110 Reporting Emission Data, Emission Fees, and Process Information is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 2024 (49 MoReg 1082-1093). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes ef-

fective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The Missouri Department of Natural Resources' Air Pollution Control Program received one (1) comment from the Regulatory Environmental Group for Missouri (REGFORM).

**COMMENT #1:** REGFORM expressed support for the fee proposal and thanked the department's Air Pollution Control Program staff for their responsiveness to stakeholder comments and suggestions in developing updated fees. The commenter also acknowledged the new and updated fees do not meet the full request or needs of the air program, and that REGFORM is committed to finding a path forward with the air program that leads to long-term financial stability.

**RESPONSE:** The program appreciates the positive feedback.

## ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo Supp. 2024, the commission amends a rule as follows:

**10 CSR 10-6.250 Asbestos Projects – Certification, Accreditation and Business Exemption Requirements is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 2024 (49 MoReg 1103-1114). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The Missouri Department of Natural Resources' Air Pollution Control Program received one (1) comment from the Regulatory Environmental Group for Missouri (REGFORM).

**COMMENT #1:** REGFORM expressed support for the fee proposal and thanked the department's Air Pollution Control Program staff for their responsiveness to stakeholder comments and suggestions in developing updated fees. The commenter also acknowledged the new and updated fees do not meet the full request or needs of the air program, and that REGFORM is committed to finding a path forward with the air program that leads to long-term financial stability.

**RESPONSE:** The program appreciates the positive feedback.

### **TITLE 10 – DEPARTMENT OF NATURAL RESOURCES Division 10 – Air Conservation Commission Chapter 6 – Air Quality Standards, Definitions, Sampling and Reference Methods and Air Pollution Control Regulations for the Entire State of Missouri**

#### **ORDER OF RULEMAKING**

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo Supp. 2024, the commission amends a rule as follows:

**10 CSR 10-6.241 Asbestos Projects – Registration, Abatement, Notification, Inspection, Demolition, and Performance Requirements is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 2024 (49 MoReg 1094-1102). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The Missouri Department of Natural Resources' Air Pollution Control Program received one (1) comment from the Regulatory Environmental Group for Missouri (REGFORM).

**COMMENT #1:** REGFORM expressed support for the fee proposal and thanked the department's Air Pollution Control Program staff for their responsiveness to stakeholder comments and suggestions in developing updated fees. The commenter also acknowledged the new and updated fees do not meet the full request or needs of the air program, and that REGFORM is committed to finding a path forward with the air program that leads to long-term financial stability.

**RESPONSE:** The program appreciates the positive feedback.

### **TITLE 10 – DEPARTMENT OF NATURAL RESOURCES Division 10 – Air Conservation Commission Chapter 6 – Air Quality Standards, Definitions, Sampling and Reference Methods and Air Pollution Control Regulations for the Entire State of Missouri**

### **TITLE 10 – DEPARTMENT OF NATURAL RESOURCES Division 10 – Air Conservation Commission Chapter 6 – Air Quality Standards, Definitions, Sampling and Reference Methods and Air Pollution Control Regulations for the Entire State of Missouri**

#### **ORDER OF RULEMAKING**

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo Supp. 2024, the commission adopts a rule as follows:

10 CSR 10-6.255 is adopted.

A notice of rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 15, 2024 (49 MoReg 1115-1120). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** During the public comment period, the Missouri Department of Natural Resources (the department) received seven (7) comments from the Missouri Agribusiness Association (MO-AG), the U.S. Environmental Protection Agency (EPA), and department staff. The department made changes to the rule text in response to these comments.

**COMMENT #1:** MO-AG and EPA both submitted comments in support of the rulemaking.

**RESPONSE:** The department appreciates the comments in support of the rulemaking. The department made no changes to the rule text in response to these comments.

COMMENT #2: MO-AG commented the acronym CGA should be defined as Compressed Gas Association (CGA). MO-AG also stated that the code incorporated by reference in the rule in subsection (1)(B) should be properly cited as follows: ANSI/CGA G2.1-2023, Requirements for the Storage and Handling of Anhydrous Ammonia, Seventh Edition. MO-AG also suggests consistent terminology referencing this document be used throughout the rule. MO-AG also states the document is published by the Compressed Gas Association, not the American National Standards Institute (ANSI).

RESPONSE AND EXPLANATION OF CHANGE: The department agrees and has updated the citation for the material incorporated by reference in subsection (1)(B) of the rule. After the department made that change, no other rule text changes were needed to ensure consistent terminology referencing that document throughout the rule.

COMMENT #3: EPA suggests adding the words “stationary source” to the applicability section of the proposed rule at 10 CSR 10-6.255(1)(A) so that the rule reads as “this rule shall apply throughout Missouri to stationary source agricultural anhydrous ammonia facilities.”

EPA also states the proposed rule at 10 CSR 10-6.255(1)(D) provides exceptions. 10 CSR 10-6.255(1)(D)2. states that changes to 40 CFR Part 68 described in subsection (3)(A) will apply. Paragraph (3)(A)1. states “The term ‘agricultural anhydrous ammonia facility’ as defined in section (2) of this rule shall replace the term “stationary source” anywhere it appears in 40 CFR 68.” EPA suggests the department edit the proposed language by saying “stationary source agriculture anhydrous ammonia facility.” Without “stationary source,” a strict interpretation could possibly lead to a portable process such as portable reactors used to convert anhydrous ammonia to liquid nitrogen fertilizers being covered at an “agricultural anhydrous ammonia facility.”

RESPONSE AND EXPLANATION OF CHANGE: The department agrees with the intent of this comment, but it is more efficient to address this comment by revising the definition of “agricultural anhydrous ammonia facility” as opposed to changing the term throughout the rule. In response to this comment, the department added the term “stationary source” in front of the term “facility” at the beginning of the definition for the term “Agricultural anhydrous ammonia facility” in subsection (2)(C) of the rule.

COMMENT #4: EPA commented that the proposed rule at 10 CSR 10-6.255(1)(C) incorporates parts of the federal rule promulgated in the *Code of Federal Regulations* at 40 CFR Part 68, as of July 1, 2023. EPA understands the department intends to request delegation of a portion of 40 CFR Part 68 in the future. How will the department update the state rule to accept modifications to 40 CFR Part 68 promulgated by the EPA in the future?

RESPONSE: The department will propose an amendment to 10 CSR 10-6.255 to update the incorporation by reference date if there are future federal amendments to 40 CFR Part 68 that affect the requirements for the sources subject to the state rule. The department made no changes to the rule text in response to this comment.

COMMENT #5: EPA commented that the proposed rule at 10 CSR 10-6.255(1)(B) incorporates CGA-2.1-2023 Requirements for the Storage and Handling of Anhydrous Ammonia, 7th Edition, published February 14, 2023, and does not incorporate any subsequent amendments or additions. How will the department update the state rule to accept updated versions of the CGA standard?

RESPONSE: The department will propose an amendment to 10 CSR 10-6.255 to update the incorporation by reference date if there are future changes to the CGA standard, which is incorporated by reference in the rule. The department made no changes to the rule text in response to this comment.

COMMENT #6: EPA commented that the applicability section of the proposed rule at 10 CSR 10-6.255(1)(A) states that the rule will apply to agricultural anhydrous ammonia facilities, which includes retail agricultural anhydrous ammonia facilities, and distributor or terminal agricultural ammonia facilities. The proposed rule provides a definition of agricultural anhydrous ammonia facility at 10 CSR 10-6.255(2)(C). This definition is important as it provides additional specificity to the facilities covered by the rule. 10 CSR 10-6.255(2)(C) states that an agricultural anhydrous ammonia facility is a “facility that uses, stores, or sells agricultural anhydrous ammonia that meets the threshold quantity of 10,000 lbs. as listed in Table 2 of 40 CFR 68.130, which is incorporated by reference in subsection (1)(C) of this rule. This includes, but is not limited to, retail agricultural anhydrous ammonia facilities and distributor or terminal agricultural anhydrous ammonia facilities.” However, pesticide and other agricultural chemical manufacturing facilities that manufacture and store anhydrous ammonia intended to be used as fertilizer or in the manufacturing of fertilizer sometimes also manufacture and store ammonia as a refrigerant or raw material in other chemical manufacturing. If the department does not intend the applicability to extend to those facilities, the EPA suggests adding modifying language to the proposed definition.

RESPONSE AND EXPLANATION OF CHANGE: The rule does not apply to anhydrous ammonia that does not meet the definition of agricultural anhydrous ammonia, even if the anhydrous ammonia that does not meet the definition is used, stored, or sold at a facility that also uses, stores, or sells agricultural anhydrous ammonia. The rule only regulates the agricultural anhydrous ammonia at these types of facilities, and the federal rule will continue to regulate the other types of anhydrous ammonia at these facilities. In response to this comment, the department has added paragraph (1)(D)3. to clarify that the rule only applies to agricultural anhydrous ammonia at facilities that use, store, or sell both types.

COMMENT #7: Department staff commented to recommend the definitions in subsections (2)(D) through (2)(F) of the rule be listed in alphabetical order.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees with this comment and has revised subsections (2)(D), (2)(E), and (2)(F) of the rule to list the definitions in alphabetical order.

#### **10 CSR 10-6.255 Chemical Accident Prevention for Agricultural Anhydrous Ammonia.**

(1)Applicability.

(B) The methods of ANSI/CGA G-2.1-2023, Requirements for the Storage and Handling of Anhydrous Ammonia (Seventh Edition), as published February 14, 2023, by the Compressed Gas Association (CGA) are hereby incorporated by reference. Copies of ANSI/CGA G-2.1-2023, Requirements for the Storage and Handling of Anhydrous Ammonia (Seventh Edition), can be obtained from the American National Standards Institute (ANSI), 1899 L Street, 11th Floor, Washington, DC 20036. This rule does not incorporate any subsequent amendments or additions.

(D) Exceptions.

1. Changes to 40 CFR 68 as described in subsection (3)(A) of this rule apply.

2. The provisions of 40 CFR 68.120 are not incorporated by reference in subsection (1)(C) of this rule.

3. Agricultural anhydrous ammonia facilities that also use, store, or sell anhydrous ammonia that does not meet the definition of agricultural anhydrous ammonia are only subject to this rule for the agricultural anhydrous ammonia that is used, stored, or sold at the facility. The anhydrous ammonia that is used, stored, or sold at the facility that is not agricultural anhydrous ammonia is not regulated by this rule.

(2) Definitions.

(C) Agricultural anhydrous ammonia facility – A stationary source facility that uses, stores, or sells agricultural anhydrous ammonia that meets the threshold quantity of ten thousand (10,000) lbs. as listed in Table 2 of 40 CFR 68.130, which is incorporated by reference in subsection (1)(C) of this rule. This includes but is not limited to retail agricultural anhydrous ammonia facilities and distributor or terminal agricultural anhydrous ammonia facilities.

(D) Distributor or terminal agricultural anhydrous ammonia facility – Any facility that is subject to a risk management plan (RMP) Program 3 under 40 CFR 68, which is incorporated by reference in subsection (1)(C) of this rule, and that –

1. Provides agricultural anhydrous ammonia to retail agricultural anhydrous ammonia facilities; or

2. Uses anhydrous ammonia in the manufacture of a fertilizer.

(E) Fertilizer – Includes any organic or inorganic material of natural or synthetic origin which is added to soil, soil mixtures, or solution to supplement nutrients and contains one (1) or more essential plant nutrients.

(F) Retail agricultural anhydrous ammonia facility – An agricultural anhydrous ammonia facility that sells agricultural anhydrous ammonia to end users or applies agricultural anhydrous ammonia to agricultural fields for a fee. Farmers who hold agricultural anhydrous ammonia solely for their own use as a nutrient fertilizer are excluded from this definition.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs, and other items required to be published in the *Missouri Register* by law.

**TITLE 19 – DEPARTMENT OF HEALTH AND SENIOR  
SERVICES  
Division 60 – Missouri Health Facilities Review  
Committee  
Chapter 50 – Certificate of Need Program**

**NOTIFICATION OF REVIEW:  
APPLICATION REVIEW SCHEDULE**

The Missouri Health Facilities Review Committee has initiated review of the CON applications listed below. A decision is tentatively scheduled for January 21, 2025. These applications are available for public inspection at the address shown below.

**Date Filed**

**Project Number:** Project Name  
City (County)  
Cost, Description

**12/10/2024**

**#6170 HT:** SSM Health – St. Clare Hospital  
Fenton (St. Louis County)  
\$2,715,316, Replace cardiac cath lab

**#6171 HT:** Poplar Bluff Regional Medical Center  
Poplar Bluff (Butler County)  
\$1,781,000, Replace robotic surgery system

Any person wishing to request a public hearing for the purpose of commenting on these applications must submit a written request to this effect, which must be received by January 10, 2025. All written requests and comments should be sent to:

Chairman  
Missouri Health Facilities Review Committee  
c/o Certificate of Need Program  
920 Wildwood Dr.  
PO Box 570  
Jefferson City, MO 65102

For additional information, contact Alison Dorge at alison.dorge@health.mo.gov.



The Secretary of State is required by sections 347.141 and 359.481, RSMo, to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in editable electronic file manuscript by email to [adrules.dissolutions@sos.mo.gov](mailto:adrules.dissolutions@sos.mo.gov).

**NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY TO ALL CREDITORS AND CLAIMANTS AGAINST  
AGAPE HOZDIC & BOWE PROPERTIES, LLC**

On November 18, 2024, Agape Hozdic & Bowe Properties, LLC, a Missouri limited liability company (the "Company"), filed its Notice of Winding Up with the Missouri Secretary of State, effective on the filing date. This notice is being given pursuant to section 347.141 of the Missouri Limited Liability Company Act. All persons and organizations with claims against the Company should submit them in writing in accordance with this notice to:

Beck Dickhaus & Associates  
4660 Maryland Ave. Ste. 215  
St. Louis, MO 63108

Claims against the Company must include:

- 1) The claimant's name, address, and phone number;
- 2) The amount claimed;
- 3) The date the claim arose;
- 4) The basis of the claim; and
- 5) The documentation supporting the claim.

A claim against the Company will be barred unless a proceeding to enforce the claim is enforced within three (3) years after the last of filing or publication of this notice.

**NOTICE OF WINDING UP FOR LIMITED LIABILITY COMPANY TO ALL CREDITORS AND CLAIMANTS AGAINST  
LAW OFFICE OF TIMOTHY R. BROWN, LLC**

On November 19, 2024, Law Office of Timothy R. Brown, LLC, a Missouri limited liability company, filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. In accordance with the Notice of Winding Up, you are hereby notified that if you believe you have a claim against Law Office of Timothy R. Brown, LLC, you must submit a written summary of the circumstances surrounding your claim to the company, care of:

Timothy Brown  
1839h E. Independence St Unit 14394  
Springfield, MO 65814

The summary of the claim must include the following information:

- 1) The name, address, and telephone number of the claimant;
- 2) The amount of the claim;
- 3) The date on which the claim arose;
- 4) The basis for the claim; and
- 5) Documentation of the claim.

A claim against Law Office of Timothy R. Brown, LLC will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION OF A BUSINESS TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
HOLT & ASSOCIATES CONSTRUCTION, LLC**

On November 19, 2024, Holt & Associates Construction, LLC, a Missouri Limited Liability Company (hereinafter the "LLC"), filed its Dissolution by Voluntary Action with the Missouri Secretary of State. All claims against the corporation must be submitted in writing on or before the 19th day of February, 2025 to:

Ed Holt  
3342 N. Farm Road 127  
Springfield, MO 65803

Each Claim must include the following information:

- 1) The name, address, and phone number of the claimant;
- 2) The amount of claim;
- 3) The date on which the claim arose;
- 4) The basis for the claim; and
- 5) The documentation in support of the claim.

All claims against the LLC will be barred unless the proceeding to enforce the claim is commenced within three (3) years after publication of this notice.

**NOTICE OF DISSOLUTION OF A BUSINESS TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
WEBCO HOLDINGS, LLC**

On November 19, 2024, Webco Holdings, LLC, a Missouri Limited Liability Company (hereinafter the "LLC"), filed its Dissolution by Voluntary Action with the Missouri Secretary of State. All claims against the corporation must be submitted in writing on or before the 19th day of February, 2025 to:

Ed Holt  
3342 N. Farm Road 127  
Springfield, MO 65803

Each Claim must include the following information:

- 1) The name, address, and phone number of the claimant;
- 2) The amount of claim;
- 3) The date on which the claim arose;
- 4) The basis for the claim; and
- 5) The documentation in support of the claim.

All claims against the LLC will be barred unless the proceeding to enforce the claim is commenced within three (3) years after publication of this notice.

**NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
SPARTA C-STORE, LLC**

On November 13, 2024, Sparta C-Store, LLC, a Missouri limited liability company ("Company"), filed its Notice of Winding Up with the Missouri Secretary of State, effective on the filing date. All persons and organizations must submit to:

Company  
c/o Frank C. Carnahan, Carnahan Evans PC  
2805 S. Ingram Mill Road  
Springfield, MO 65804

A written summary of any claims against the Company, including:

- 1) The claimant's name, address, and telephone number;
- 2) The amount of claim;
- 3) The date(s) claim accrued (or will accrue);
- 4) A brief description of the nature of the debt or the basis for the claim; and
- 5) If the claim is secured, and if so, the collateral used as security.

Any claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the last of filing or publication of this notice.

**NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
PROFESSIONAL BUILDING OF WEST PLAINS, LLC**

On November 13, 2024, Professional Building of West Plains, LLC, a Missouri limited liability company ("Company"), filed its Notice of Winding Up with the Missouri Secretary of State, effective on the filing date. All persons and organizations must submit to:

Company  
c/o Frank C. Carnahan, Carnahan Evans PC  
2805 S. Ingram Mill Road  
Springfield, MO 65804

A written summary of any claims against the Company, including:

- 1) The claimant's name, address, and telephone number;
- 2) The amount of claim;
- 3) The date(s) claim accrued (or will accrue);
- 4) A brief description of the nature of the debt or the basis for the claim; and
- 5) If the claim is secured, and if so, the collateral used as security.

Any claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the last of filing or publication of this notice.

**NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
BRADFORD FARMS, LLC**

On November 13, 2024, Bradford Farms, LLC, a Missouri limited liability company ("Company"), filed its Notice of Winding Up with the Missouri Secretary of State, effective on the filing date. All persons and organizations must submit to:

Company  
c/o Frank C. Carnahan, Carnahan Evans PC  
2805 S. Ingram Mill Road  
Springfield, MO 65804

A written summary of any claims against the Company, including:

- 1) The claimant's name, address, and telephone number;
- 2) The amount of claim;
- 3) The date(s) claim accrued (or will accrue);
- 4) A brief description of the nature of the debt or the basis for the claim; and
- 5) If the claim is secured, and if so, the collateral used as security.

Any claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the last of filing or publication of this notice.

**NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
TIPBACK RANCH, LLC**

On November 13, 2024, Tipback Ranch, LLC, a Missouri limited liability company ("Company"), filed its Notice of Winding Up with the Missouri Secretary of State, effective on the filing date. All persons and organizations must submit to:

Company  
c/o Frank C. Carnahan, Carnahan Evans PC  
2805 S. Ingram Mill Road  
Springfield, MO 65804

A written summary of any claims against the Company, including:

- 1) The claimant's name, address, and telephone number;
- 2) The amount of claim;
- 3) The date(s) claim accrued (or will accrue);
- 4) A brief description of the nature of the debt or the basis for the claim; and
- 5) If the claim is secured, and if so, the collateral used as security.

Any claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the last of filing or publication of this notice.

**NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
EIGHT D FARMS, LLC**

On November 13, 2024, Eight D Farms, LLC, a Missouri limited liability company ("Company"), filed its Notice of Winding Up with the Missouri Secretary of State, effective on the filing date. All persons and organizations must submit to:

Company  
c/o Frank C. Carnahan, Carnahan Evans PC  
2805 S. Ingram Mill Road  
Springfield, MO 65804

A written summary of any claims against the Company, including:

- 1) The claimant's name, address, and telephone number;
- 2) The amount of claim;
- 3) The date(s) claim accrued (or will accrue);
- 4) A brief description of the nature of the debt or the basis for the claim; and
- 5) If the claim is secured, and if so, the collateral used as security.

Any claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the last of filing or publication of this notice.

**NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
BROOKWOOD 99 RANCH, LLC**

On November 13, 2024, Brookwood 99 Ranch, LLC, a Missouri limited liability company ("Company"), filed its Notice of Winding Up with the Missouri Secretary of State, effective on the filing date. All persons and organizations must submit to:

Company  
c/o Frank C. Carnahan, Carnahan Evans PC  
2805 S. Ingram Mill Road  
Springfield, MO 65804

A written summary of any claims against the Company, including:

- 1) The claimant's name, address and telephone number;
- 2) The amount of claim;
- 3) The date(s) claim accrued (or will accrue);
- 4) A brief description of the nature of the debt or the basis for the claim; and
- 5) If the claim is secured, and if so, the collateral used as security.

Any claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the last of filing or publication of this notice.

**NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
HOMETOWN GROUP, LLC**

On November 13, 2024, Hometown Group, LLC, a Missouri limited liability company ("Company"), filed its Notice of Winding Up with the Missouri Secretary of State, effective on the filing date. All persons and organizations must submit to:

Company  
c/o Thomas D. Peebles, Jr., Carnahan Evans PC  
2805 S. Ingram Mill Road  
Springfield, MO 65804

A written summary of any claims against Company, including:

- 1) The claimant's name, address and telephone number;
- 2) The amount of claim;
- 3) The date(s) claim accrued (or will accrue);
- 4) A brief description of the nature of the debt or the basis for the claim; and
- 5) If the claim is secured, and if so, the collateral used as security.

Any claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the last of filing or publication of this notice.

**NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS AGAINST CBK2 HOLDINGS, INC**

Effective November 15, 2024, CBK2 HOLDINGS, INC, a Missouri corporation (the "Corporation"), the principal office of which is located at 638 Knierim Place, Kirkwood, MO 63122, was voluntarily dissolved. All claims against the Corporation should be presented in accordance with this notice. Claims should be in writing and sent to the Corporation at this mailing address:

Attn: Christopher Kadel  
638 Knierim Place  
Kirkwood, MO 63122

The claim must contain:

- 1) The name, address, and telephone number of the claimants;
- 2) The amount of the claim or other relief demanded;
- 3) The basis of the claim and any documents related to the claim; and
- 4) The date(s) as of which the event(s) on which the claim is based occurred.

Any and all claims against the Corporation will be barred unless a proceeding to enforce the claim is commenced within two (2) years after the publication of this notice.

**NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS AGAINST FERGUSON HOLDINGS, LLC**

On November 21, 2024, Ferguson Holdings, LLC, a Missouri Limited Liability Company (hereinafter "LLC"), filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. All claims against the LLC must be submitted in writing to:

Thomas Ferguson  
1100 W. Sunshine  
Springfield, MO 65807

Each claim must include the following information:

- 1) The name, address, and phone number of the claimant;
- 2) The amount of claim;
- 3) The date on which the claim arose;
- 4) The basis for the claim; and
- 5) The documentation in support of the claim.

All claims against the LLC will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the date the Notice of Winding Up is filed or published, whichever is later.

**NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS AGAINST FERGUSON INVESTMENTS, LLC**

On November 21, 2024, Ferguson Investments, LLC, a Missouri Limited Liability Company (hereinafter "LLC"), filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. All claims against the LLC must be submitted in writing to:

Thomas Ferguson  
1100 W. Sunshine  
Springfield, MO 65807

Each claim must include the following information:

- 1) The name, address, and phone number of the claimant;
- 2) The amount of claim;
- 3) The date on which the claim arose;
- 4) The basis for the claim; and
- 5) The documentation in support of the claim.

All claims against the LLC will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the date the Notice of Winding Up is filed or published, whichever is later.

#### **NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS AGAINST FERGUSON LEASING, LLC**

On November 21, 2024, Ferguson Leasing, LLC, a Missouri Limited Liability Company (hereinafter "LLC"), filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. All claims against the LLC must be submitted in writing to:

Thomas Ferguson  
1100 W. Sunshine  
Springfield, MO 65807

Each claim must include the following information:

- 1) The name, address, and phone number of the claimant;
- 2) The amount of claim;
- 3) The date on which the claim arose;
- 4) The basis for the claim; and
- 5) The documentation in support of the claim.

All claims against the LLC will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the date the Notice of Winding Up is filed or published, whichever is later.

#### **NOTICE OF DISSOLUTION AND WINDING UP TO ALL CREDITORS OF AND CLAIMANTS AGAINST CIPOLLA INVESTMENTS, LP**

Effective as of November 11, 2024, Cipolla Investments, LP filed a Certificate of Cancellation with the Missouri Secretary of State. All claims against the partnership should be sent in writing by mail to:

Francis Cipolla  
4600 NE Dick Howser Circle  
Lees Summit, MO 64064

Each claim should include:

- 1) The name, address, and phone number of the claimant;
- 2) The claim amount;
- 3) The basis of the claim;
- 4) The date the claim arose; and
- 5) The documentation of the claim.

Claims against the partnership will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

#### **NOTICE OF WINDING UP TO ALL CREDITORS OF AND CLAIMANTS AGAINST EMPLOYER ADVANTAGE OF OKLAHOMA, LLC**

On November 27, 2024, Employer Advantage of Oklahoma, LLC, a Missouri limited liability company (hereinafter "Company"), filed its Notice of Winding Up with the Missouri Secretary of State. You are hereby notified that if you have a claim against the Company, you must submit the details of your claim in writing to:

Owen Allphin  
4120 Caerleon Circle  
Bentonville, AR 72713

Claims must include the following:

- 1) The name, address, and phone number of the claimant;
- 2) The amount claimed;
- 3) The date on which the claim arose;
- 4) The basis for the claim; and
- 5) Any documentation in support of the claim.

Claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of the notice.



**NOTICE OF WINDING UP TO ALL CREDITORS AND CLAIMANTS AGAINST  
JUDY LYNN & RACHEL P. PRODUCTIONS, LLC**

On October 10, 2024, Judy Lynn & Rachel P. Productions, LLC, a Missouri limited liability company (hereinafter the "Company"), filed its Notice of Winding Up of a Limited Liability Company with the Missouri Secretary of State. Any claims against the Company should be sent to:

Judy Kent  
13351 Buckland Hall Roaf  
St. Louis, MO 63131

Each claim must include the following information:

- 1) The name, address and phone number of the claimant;
- 2) The amount claimed;
- 3) The date on which the claim arose;
- 4) The basis for the claim, and
- 5) The documentation in support of the claim.

All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF WINDING UP TO ALL CREDITORS AND CLAIMANTS AGAINST LILLEY HERITAGE FARMS, LLC**

On December 2, 2024, LILLEY HERITAGE FARMS, LLC, a Missouri limited liability company (the "Company"), filed its Notice of Winding Up with the Missouri Secretary of State. All persons and organizations with claims against the Company must submit a written summary of any claims against the Company to:

LILLEY HERITAGE FARMS, LLC  
c/o THE LAW OFFICE OF JESSE A. GRANNEMAN, LLC  
20 Manor Drive, PO Box 250  
Troy, MO 63379

Each claim must include the following information:

- 1) The name, address, and telephone number of the claimant;
- 2) The amount of the claim;
- 3) The date(s) the claim accrued;
- 4) A brief description of the nature and basis for the claim; and
- 5) Any documentation of the claim.

Claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY TO ALL CREDITORS AND CLAIMANTS AGAINST  
OTTINGER LAWRENCE & PEARSON, LLC**

On November 27, 2024, Ottinger, Lawrence & Pearson, LLC, a Missouri limited liability company (hereinafter the "Company"), filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State. Any claims against the Company may be sent to:

Bruce Lawrence  
250 North Kingshighway  
Sikeston, MO 63801

Each claim must include the following information:

- 1) The name, address and phone number of the claimant;
- 2) The amount claimed;
- 3) The date on which the claim arose;
- 4) The basis for the claim; and
- 5) The documentation in support of the claim.

All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY TO ALL CREDITORS AND CLAIMANTS AGAINST  
BP LAWN AND LANDSCAPING SERVICES, LLC**

On October 7, 2024, BP Lawn and Landscaping Services, LLC, a Missouri limited liability company, filed a Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. You are hereby notified that if you believe you have a claim against BP Lawn and Landscaping Services LLC, you must submit a summary in writing of the circumstances surrounding your claim against BP Lawn and Landscaping Services LLC to:

Layton & Southard LLC  
Attn: Stephen R. Southard  
2845 Professional Court  
Cape Girardeau, MO 63703

The summary of your claim must include the following information:

- 1) The name, address, and telephone number of the claimant;
- 2) The amount of the claim;
- 3) The date of the event on which the claim is based occurred; and
- 4) A brief description of the nature of the debt or the basis for the claim.

All claims against BP Lawn and Landscaping Services LLC will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMS AGAINST SWP IX, LLC**

On December 6, 2024, SWP IX, LLC, a Missouri limited liability company, filed its Articles of Dissolution with the Missouri Secretary of State. You are hereby notified that if you believe you have a claim against SWP IX, LLC, a Missouri limited liability company, you must submit a summary in writing of the circumstances surrounding your claim to:

Levy Craig Law Firm  
4520 Main Street, Suite 400  
Kansas City, MO 64111

The summary of your claim must include the following information:

- 1) The name, address, and telephone number of the claimant;
- 2) The amount of the claim;
- 3) The date on which the event on which the claim is based occurred; and
- 4) A brief description of the nature of the debt or the basis for the claim.

All claims against SWP IX, LLC, a Missouri limited liability company will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this Notice.

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*. Citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year – 49 (2024) and 50 (2025). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RAN indicates a rule action notice, RUC indicates a rule under consideration, and F indicates future effective date.

RULE NUMBER	AGENCY	EMERGENCY	PROPOSED	ORDER	IN ADDITION
1 CSR 10	OFFICE OF ADMINISTRATION State Officials' Salary Compensation Schedule				47 MoReg 1457
<b>DEPARTMENT OF AGRICULTURE</b>					
2 CSR 80-2.001	State Milk Board		49 MoReg 1571		
2 CSR 80-2.002	State Milk Board		49 MoReg 1571		
2 CSR 80-2.004	State Milk Board		49 MoReg 1572		
2 CSR 80-5.010	State Milk Board		49 MoReg 1493		
2 CSR 90-10.011	Weights, Measures and Consumer Protection		49 MoReg 874	49 MoReg 1619	
2 CSR 90-10.012	Weights, Measures and Consumer Protection		49 MoReg 874	49 MoReg 1619	
2 CSR 90-10.020	Weights, Measures and Consumer Protection		49 MoReg 875	49 MoReg 1619	
2 CSR 90-10.040	Weights, Measures and Consumer Protection		49 MoReg 876	49 MoReg 1619	
2 CSR 90-30.040	Weights, Measures and Consumer Protection		49 MoReg 1441		
<b>DEPARTMENT OF CONSERVATION</b>					
3 CSR 10-5.210	Conservation Commission		49 MoReg 731	49 MoReg 1305	
3 CSR 10-5.710	Conservation Commission		49 MoReg 1493		
3 CSR 10-6.415	Conservation Commission		49 MoReg 1495		
3 CSR 10-6.535	Conservation Commission		49 MoReg 1495		
3 CSR 10-6.550	Conservation Commission		49 MoReg 1496		
3 CSR 10-7.410	Conservation Commission		49 MoReg 1496		
3 CSR 10-7.412	Conservation Commission		49 MoReg 1496		
3 CSR 10-7.450	Conservation Commission		49 MoReg 1497		
3 CSR 10-7.705	Conservation Commission		49 MoReg 1497		
3 CSR 10-7.710	Conservation Commission		49 MoReg 1498		
3 CSR 10-7.900	Conservation Commission		49 MoReg 793	49 MoReg 1305	
3 CSR 10-9.565	Conservation Commission		49 MoReg 1500		
3 CSR 10-11.115	Conservation Commission		49 MoReg 1502		
3 CSR 10-11.180	Conservation Commission		49 MoReg 1502		
3 CSR 10-11.186	Conservation Commission		49 MoReg 1503		
3 CSR 10-11.205	Conservation Commission		49 MoReg 1504		
3 CSR 10-12.110	Conservation Commission		49 MoReg 1504		
3 CSR 10-12.130	Conservation Commission		This Issue		
3 CSR 10-12.140	Conservation Commission				
<b>DEPARTMENT OF ECONOMIC DEVELOPMENT</b>					
<b>DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION</b>					
5 CSR 20-400.125	Division of Learning Services		49 MoReg 1391		
5 CSR 20-500.130	Division of Learning Services		49 MoReg 1051	49 MoReg 1850	
5 CSR 20-500.170	Division of Learning Services		49 MoReg 1052	49 MoReg 1850	
5 CSR 20-500.180	Division of Learning Services		49 MoReg 1052	49 MoReg 1850	
5 CSR 20-500.190	Division of Learning Services		49 MoReg 1053	49 MoReg 1850	
5 CSR 20-500.200	Division of Learning Services		49 MoReg 1054	49 MoReg 1851	
5 CSR 25-100.350	Office of Childhood		This Issue		
5 CSR 30-660.090	Division of Financial and Administrative Services		49 MoReg 1504R		
<b>DEPARTMENT OF HIGHER EDUCATION AND WORKFORCE DEVELOPMENT</b>					
6 CSR 10-10.010	Commissioner of Education		49 MoReg 1891R 49 MoReg 1891		
<b>MISSOURI DEPARTMENT OF TRANSPORTATION</b>					
7 CSR 10-4.020	Missouri Highways and Transportation Commission	49 MoReg 1699	49 MoReg 1704		
7 CSR 10-25.020	Missouri Highways and Transportation Commission		49 MoReg 1393		
<b>DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS</b>					
<b>DEPARTMENT OF MENTAL HEALTH</b>					
<b>DEPARTMENT OF NATURAL RESOURCES</b>					
10 CSR 10-6.060	Director's Office		49 MoReg 1054	This Issue	
10 CSR 10-6.065	Director's Office		49 MoReg 1067		
10 CSR 10-6.110	Director's Office		49 MoReg 1082	This Issue	
10 CSR 10-6.241	Director's Office		49 MoReg 1094	This Issue	
10 CSR 10-6.250	Director's Office		49 MoReg 1103	This Issue	
10 CSR 10-6.255	Director's Office		49 MoReg 1115	This Issue	
10 CSR 10-6.261	Director's Office		49 MoReg 1572		
10 CSR 20-6.030	Clean Water Commission		49 MoReg 1121	49 MoReg 1896	
10 CSR 20-8.130	Clean Water Commission		49 MoReg 1123	49 MoReg 1896	
10 CSR 20-8.200	Clean Water Commission		49 MoReg 1125	49 MoReg 1897	
10 CSR 25-3.260	Hazardous Waste Management Commission		49 MoReg 1267		
10 CSR 25-4.261	Hazardous Waste Management Commission		49 MoReg 1270		
10 CSR 25-5.262	Hazardous Waste Management Commission		49 MoReg 1271		
10 CSR 25-6.263	Hazardous Waste Management Commission		This Issue		
10 CSR 25-8.124	Hazardous Waste Management Commission		This Issue		
10 CSR 25-13.010	Hazardous Waste Management Commission		This IssueR		
10 CSR 25-7.264	Hazardous Waste Management Commission		49 MoReg 1274		

# RULE CHANGES SINCE UPDATE

January 2, 2025  
Vol. 50, No. 1

RULE NUMBER	AGENCY	EMERGENCY	PROPOSED	ORDER	IN ADDITION
10 CSR 25-7.265	Hazardous Waste Management Commission		49 MoReg 1276		
10 CSR 25-7.266	Hazardous Waste Management Commission		49 MoReg 1278		
10 CSR 25-7.268	Hazardous Waste Management Commission		49 MoReg 1278		
10 CSR 25-7.270	Hazardous Waste Management Commission		49 MoReg 1279		
10 CSR 25-11.279	Hazardous Waste Management Commission		49 MoReg 1281		
10 CSR 25-12.010	Hazardous Waste Management Commission		49 MoReg 1284		
10 CSR 25-12.020	Hazardous Waste Management Commission		49 MoReg 1290		
10 CSR 25-16.273	Hazardous Waste Management Commission		49 MoReg 1291		
10 CSR 40-10.025	Missouri Mining Commission		49 MoReg 884	49 MoReg 1851	
10 CSR 90-2.070	State Parks		49 MoReg 1399		
10 CSR 140-2.020	Division of Energy		49 MoReg 1400		49 MoReg 1861
<b>DEPARTMENT OF PUBLIC SAFETY</b>					
11 CSR 30-1.010	Office of the Director		49 MoReg 987	49 MoReg 1851	
11 CSR 30-8.010	Office of the Director		49 MoReg 987R	49 MoReg 1851R	
11 CSR 30-8.020	Office of the Director		49 MoReg 988R	49 MoReg 1851R	
11 CSR 30-8.030	Office of the Director		49 MoReg 988R	49 MoReg 1852R	
11 CSR 30-8.040	Office of the Director		49 MoReg 988R	49 MoReg 1852R	
11 CSR 30-19.010	Office of the Director		49 MoReg 988	49 MoReg 1852	
11 CSR 40-2.025	Division of Fire Safety		49 MoReg 1505		
11 CSR 40-6.020	Division of Fire Safety		49 MoReg 1505		
11 CSR 40-6.025	Division of Fire Safety		49 MoReg 1506		
11 CSR 40-6.031	Division of Fire Safety		49 MoReg 1506		
11 CSR 40-6.033	Division of Fire Safety		49 MoReg 1509		
11 CSR 40-6.060	Division of Fire Safety		49 MoReg 1509		
11 CSR 40-6.065	Division of Fire Safety		49 MoReg 1512		
11 CSR 45-13.030	Missouri Gaming Commission		49 MoReg 1442		
11 CSR 45-30.135	Missouri Gaming Commission		49 MoReg 1442		
11 CSR 45-30.280	Missouri Gaming Commission		49 MoReg 1443		
11 CSR 45-30.610	Missouri Gaming Commission		49 MoReg 1443		
11 CSR 50-2.010	Missouri State Highway Patrol		49 MoReg 1293	49 MoReg 1852	
11 CSR 50-2.020	Missouri State Highway Patrol		49 MoReg 1294	49 MoReg 1853	
11 CSR 50-2.060	Missouri State Highway Patrol		49 MoReg 1294	49 MoReg 1853	
11 CSR 50-2.070	Missouri State Highway Patrol		49 MoReg 1295	49 MoReg 1853	
11 CSR 50-2.090	Missouri State Highway Patrol		49 MoReg 1295	49 MoReg 1853	
11 CSR 50-2.100	Missouri State Highway Patrol		49 MoReg 1296	49 MoReg 1853	
11 CSR 50-2.110	Missouri State Highway Patrol		49 MoReg 1296	49 MoReg 1854	
11 CSR 50-2.120	Missouri State Highway Patrol		49 MoReg 1297	49 MoReg 1854	
11 CSR 50-2.140	Missouri State Highway Patrol		49 MoReg 1299	49 MoReg 1854	
11 CSR 70-2.010	Division of Alcohol and Tobacco Control		49 MoReg 1345		
11 CSR 70-2.020	Division of Alcohol and Tobacco Control		49 MoReg 1345		
11 CSR 70-2.050	Division of Alcohol and Tobacco Control		49 MoReg 1346		
11 CSR 70-2.060	Division of Alcohol and Tobacco Control		49 MoReg 1346		
11 CSR 70-2.120	Division of Alcohol and Tobacco Control		49 MoReg 1444		
11 CSR 70-2.130	Division of Alcohol and Tobacco Control		49 MoReg 1575		
11 CSR 70-2.140	Division of Alcohol and Tobacco Control		49 MoReg 1347		
11 CSR 70-2.240	Division of Alcohol and Tobacco Control		49 MoReg 1347		
11 CSR 70-2.270	Division of Alcohol and Tobacco Control		49 MoReg 1349		
<b>DEPARTMENT OF REVENUE</b>					
12 CSR 10-2.155	Director of Revenue		49 MoReg 887		
12 CSR 10-24.060	Director of Revenue		49 MoReg 888		
12 CSR 10-24.200	Director of Revenue		49 MoReg 637		
12 CSR 10-24.330	Director of Revenue		48 MoReg 1544	49 MoReg 101	
12 CSR 10-24.420	Director of Revenue		49 MoReg 888		
12 CSR 10-24.440	Director of Revenue		49 MoReg 637R		
<b>DEPARTMENT OF SOCIAL SERVICES</b>					
13 CSR 35-38.010	Children's Division	49 MoReg 1043	49 MoReg 1129	49 MoReg 1900	
13 CSR 35-71.015	Children's Division		This Issue		
13 CSR 35-71.045	Children's Division	48 MoReg 1676	49 MoReg 1580		
13 CSR 40-100.020	Family Support Division		49 MoReg 1134	49 MoReg 1854	
13 CSR 70-1.010	MO HealthNet Division		49 MoReg 1140	49 MoReg 1724	
13 CSR 70-4.080	MO HealthNet Division		49 MoReg 1512		
13 CSR 70-8.010	MO HealthNet Division		49 MoReg 1400		
13 CSR 70-8.020	MO HealthNet Division		49 MoReg 989	49 MoReg 1620	
13 CSR 70-15.010	MO HealthNet Division	49 MoReg 1329	49 MoReg 1804		
13 CSR 70-15.110	MO HealthNet Division	49 MoReg 1334	49 MoReg 1349		
13 CSR 70-15.160	MO HealthNet Division	49 MoReg 1760	49 MoReg 1809		
13 CSR 70-15.230	MO HealthNet Division	49 MoReg 1341	49 MoReg 1357		
13 CSR 70-20.030	MO HealthNet Division		49 MoReg 1444		
13 CSR 70-20.045	MO HealthNet Division		49 MoReg 1816		
13 CSR 70-20.047	MO HealthNet Division		49 MoReg 1513		
13 CSR 70-20.075	MO HealthNet Division	This Issue	This Issue		
13 CSR 70-20.250	MO HealthNet Division		49 MoReg 1816		
13 CSR 70-20.300	MO HealthNet Division		49 MoReg 1817		
13 CSR 70-25.160	MO HealthNet Division	49 MoReg 1489	49 MoReg 1513		
13 CSR 70-94.030	MO HealthNet Division	49 MoReg 785	49 MoReg 810	49 MoReg 1620	
13 CSR 70-98.015	MO HealthNet Division		49 MoReg 1444		
<b>ELECTED OFFICIALS</b>					
15 CSR 30-51.010	Secretary of State		49 MoReg 1447		
15 CSR 30-51.020	Secretary of State		49 MoReg 1447		
15 CSR 30-51.180	Secretary of State		49 MoReg 1447		
15 CSR 30-51.169	Secretary of State	49 MoReg 1768	49 MoReg 1818		
15 CSR 30-51.170	Secretary of State	49 MoReg 1768	49 MoReg 1819		

RULE NUMBER	AGENCY	EMERGENCY	PROPOSED	ORDER	IN ADDITION
15 CSR 30-51.172	Secretary of State	49 MoReg 1769	49 MoReg 1820		
15 CSR 30-51.174	Secretary of State	49 MoReg 1770	49 MoReg 1821		
15 CSR 50-5.020	Treasurer		49 MoReg 1893		
15 CSR 50-5.030	Treasurer		49 MoReg 1894		
15 CSR 50-5.050	Treasurer		49 MoReg 1895		
<b>RETIREMENT SYSTEMS</b>					
16 CSR 10-1.030	The Public School Retirement System of Missouri		49 MoReg 1708		
16 CSR 10-1.040	The Public School Retirement System of Missouri		49 MoReg 1708		
16 CSR 10-3.010	The Public School Retirement System of Missouri		49 MoReg 1708		
16 CSR 10-5.010	The Public School Retirement System of Missouri		49 MoReg 1710		
16 CSR 10-5.020	The Public School Retirement System of Missouri		49 MoReg 1712		
16 CSR 10-6.020	The Public School Retirement System of Missouri		49 MoReg 1712		
16 CSR 10-6.060	The Public School Retirement System of Missouri		49 MoReg 1714		
16 CSR 10-6.070	The Public School Retirement System of Missouri		49 MoReg 1714		
16 CSR 20-1.010	Missouri Local Government Employees' Retirement System (LAGERS)		49 MoReg 642	49 MoReg 1464	
16 CSR 20-2.150	Missouri Local Government Employees' Retirement System (LAGERS)		49 MoReg 642	49 MoReg 1464	
<b>DEPARTMENT OF HEALTH AND SENIOR SERVICES</b>					
19 CSR 10-10.030	Office of the Director		49 MoReg 1715		
19 CSR 20-8.030	Division of Community and Public Health		49 MoReg 1583R 49 MoReg 1583		
19 CSR 20-80.010	Division of Community and Public Health		49 MoReg 990	49 MoReg 1857	
19 CSR 30-1.002	Division of Regulation and Licensure	49 MoReg 1557	49 MoReg 1593		
19 CSR 30-40.600	Division of Regulation and Licensure		49 MoReg 990	49 MoReg 1624	
19 CSR 60-50	Missouri Health Facilities Review Committee				49 MoReg 1626 49 MoReg 1861 49 MoReg 1905
19 CSR 60-50.430	Missouri Health Facilities Review Committee		49 MoReg 815	49 MoReg 1464	
19 CSR 60-50.440	Missouri Health Facilities Review Committee		49 MoReg 818	49 MoReg 1464	
19 CSR 60-50.450	Missouri Health Facilities Review Committee		49 MoReg 818	49 MoReg 1464	
<b>DEPARTMENT OF COMMERCE AND INSURANCE</b>					
20 CSR	Applied Behavior Analysis Maximum Benefit				49 MoReg 304
20 CSR	Construction Claims Binding Arbitration Cap				49 MoReg 304
20 CSR	Non-Economic Damages in Medical Malpractice Cap				49 MoReg 305
20 CSR	Sovereign Immunity Limits				49 MoReg 1905
20 CSR	State Legal Expense Fund Cap				49 MoReg 305
20 CSR 1140-12.010	Division of Finance		49 MoReg 1606R		
20 CSR 2040-5.070	Office of Athletics		49 MoReg 1517		
20 CSR 2063-1.015	Behavior Analyst Advisory Board		49 MoReg 1143	49 MoReg 1624	
20 CSR 2063-2.015	Behavior Analyst Advisory Board		49 MoReg 1607		
20 CSR 2063-6.005	Behavior Analyst Advisory Board		49 MoReg 1453		
20 CSR 2085-3.010	Board of Cosmetology and Barber Examiners		49 MoReg 889	49 MoReg 1464	
20 CSR 2110-2.010	Missouri Dental Board		49 MoReg 1821		
20 CSR 2110-2.050	Missouri Dental Board		49 MoReg 1822		
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13 CSR 70-20.075	340B Drug Pricing Program .....	This Issue .....	Dec. 9, 2024. .... June 6, 2025
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22 CSR 10-3.020	General Membership Provisions.....	49 MoReg 1787	Jan. 1, 2025. .... June 29, 2025
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22 CSR 10-3.057	Medical Plan Benefit Provisions and Covered Charges . .49 MoReg 1789 . . . . .	Jan. 1, 2025. . . . .	June 29, 2025
22 CSR 10-3.058	PPO 750 Plan Benefit Provisions and Covered Charges . .49 MoReg 1795 . . . . .	Jan. 1, 2025. . . . .	June 29, 2025
22 CSR 10-3.059	PPO 1250 Plan Benefit Provisions and Covered Charges .49 MoReg 1796 . . . . .	Jan. 1, 2025. . . . .	June 29, 2025
22 CSR 10-3.075	Review and Appeals Procedure. . . . .	49 MoReg 1796 . . . . .	Jan. 1, 2025. . . . .
22 CSR 10-3.090	Pharmacy Benefit Summary . . . . .	49 MoReg 1797. . . . .	Jan. 1, 2025. . . . .

The Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo.

ORDER	SUBJECT MATTER	FILED DATE	PUBLICATION
<b>2024</b>			
<b>24-16</b>	Orders state offices to be closed at 12:00 p.m. on Tuesday, December 24, 2024	December 9, 2024	This Issue
<b>24-15</b>	Orders state offices to be closed on Friday, November 29, 2024	November 7, 2024	49 MoReg 1890
<b>24-14</b>	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated due to ongoing and forecasted severe storm systems	November 5, 2024	49 MoReg 1889
<b>24-13</b>	Declares a drought alert for 88 Missouri counties in accordance with the Missouri Drought Mitigation and Response Plan and orders the director of the Department of Natural Resources to activate and designate a chairperson for the Drought Assessment Committee	October 29, 2024	49 MoReg 1802
<b>24-12</b>	Revokes the rescission of Executive Order 97-97	October 24, 2024	49 MoReg 1801
<b>24-11</b>	Rescinds 177 executive orders that are no longer necessary or applicable to the operations of the government	October 23, 2024	49 MoReg 1799
<b>24-10</b>	Directs the Department of Health and Senior Services to address foods containing unregulated psychoactive cannabis products and the Department of Public Safety Division of Alcohol and Tobacco to amend regulations on unregulated psychoactive cannabis products	August 1, 2024	49 MoReg 1343
<b>24-09</b>	Orders executive branch state offices closed on Friday, July 5, 2024	July 1, 2024	49 MoReg 1188
<b>24-08</b>	Extends Executive Order 24-06 and the State of Emergency until July 31, 2024	June 26, 2024	49 MoReg 1187
<b>24-07</b>	Extends Executive Order 23-06 and the State of Emergency until June 30, 2024	May 30, 2024	49 MoReg 954
<b>24-06</b>	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated due to forecasted severe storm systems	May 2, 2024	49 MoReg 847
<b>24-05</b>	Extends Executive Order 23-05 to address drought-response efforts until September 1, 2024	April 26, 2024	49 MoReg 792
<b>24-04</b>	Designates members of his staff to have supervisory authority over departments, divisions and agencies of state government	February 29, 2024	49 MoReg 447
<b>24-03</b>	Declares a State of Emergency and declares Missouri will implement the Emergency Mutual Aid Compact (EMAC) agreement with the State of Texas to provide support with border operations	February 20, 2024	49 MoReg 446
<b>24-02</b>	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated due to forecasted winter storm systems	January 11, 2024	49 MoReg 270
<b>24-01</b>	Orders the Dept. of Agriculture to establish rules regarding acquisitions of agricultural land by foreign businesses	January 2, 2024	49 MoReg 136

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